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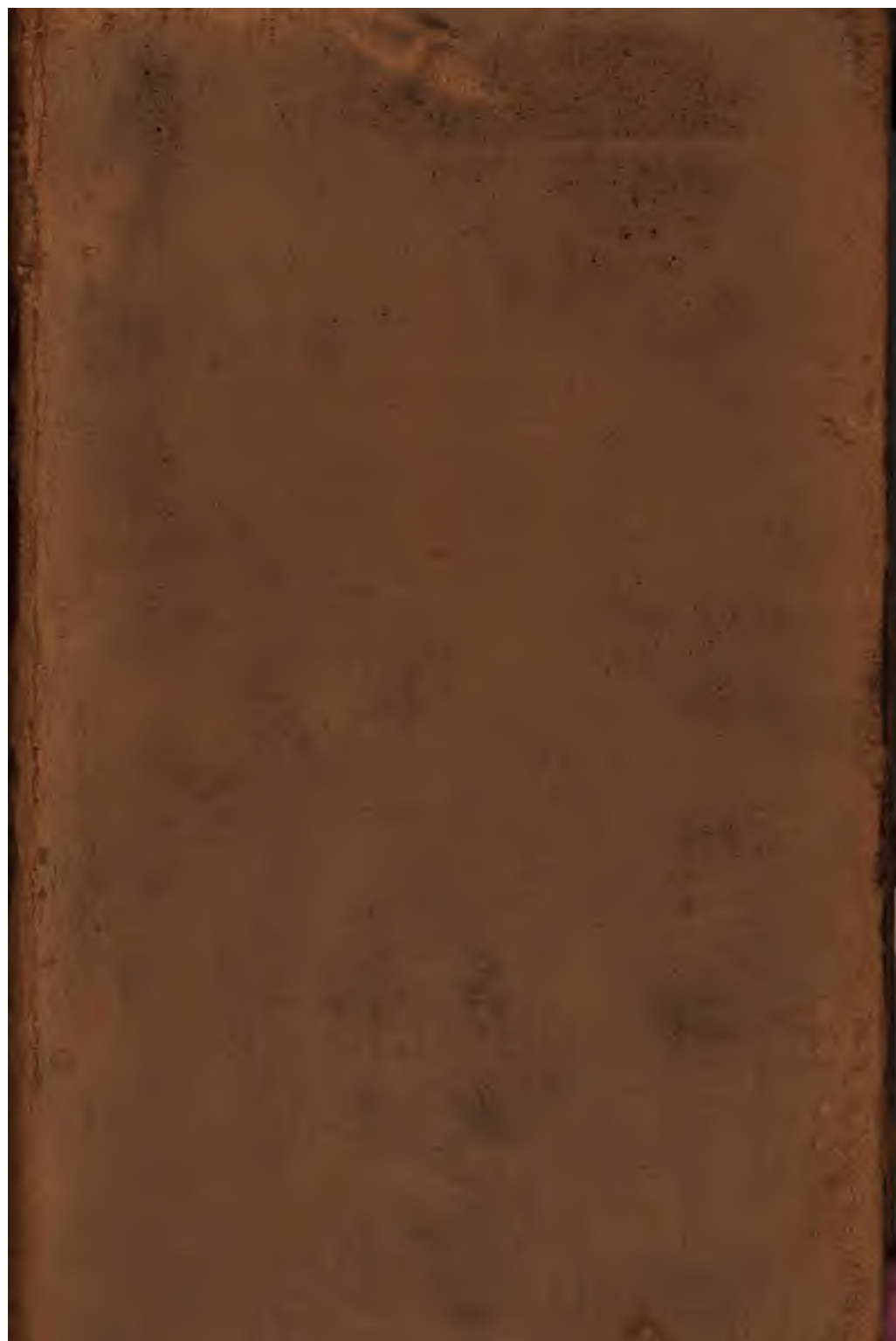
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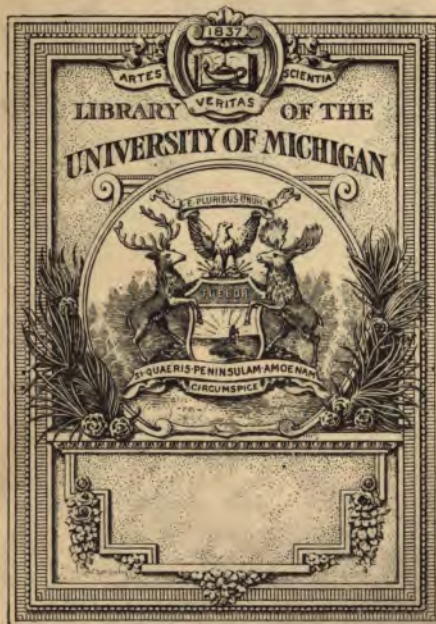
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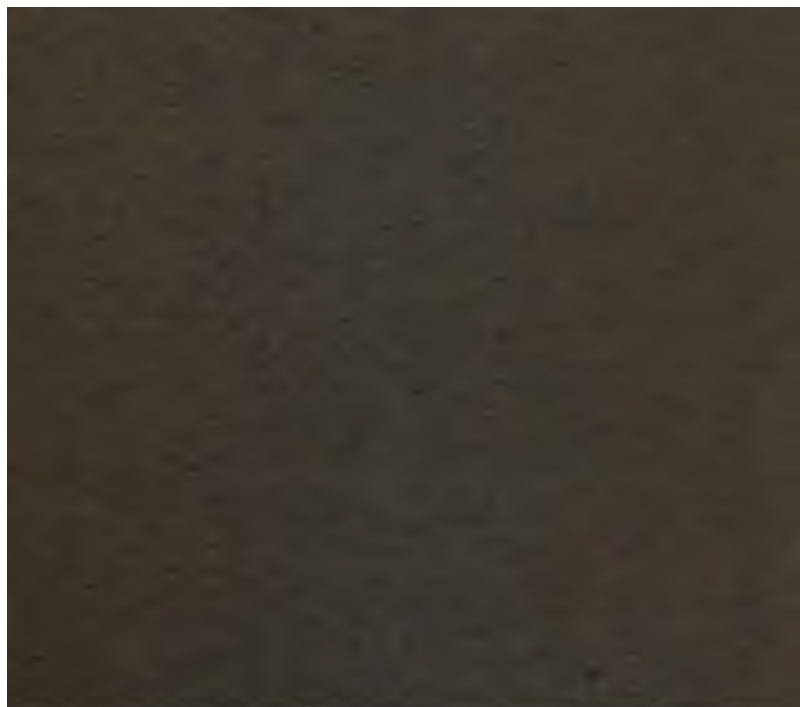
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THE
PARLIAMENTARY
OR
CONSTITUTIONAL
History of England;

Being a
FAITHFUL ACCOUNT
Of all the
Most remarkable TRANSACTIONS
In PARLIAMENT,

From the earliest TIMES,
TO THE
Restoration of King CHARLES II.

COLLECTED
From the JOURNALS of both HOUSES, the RECORDS,
original MANUSCRIPTS, scarce SPEECHES and
TRACTS; all compared with the several Cotem-
porary Writers, and connected, throughout, with
the History of the Times.

By SEVERAL HANDS.

VOL. III.
From the Accession of King *Henry VIII.* to the
Fifth Year of Queen *Elizabeth.*

L O N D O N,
Printed; and Sold by *Thomas Osborne*, in *Gray's Inn*;
AND
William Sandby, against *St. Dunstan's Church, Fleet-street.*
MDCCLI.





THE
PARLIAMENTARY HISTORY
OF
ENGLAND.



ON the Demise of *Henry VII.* his only Son, *Henry*, succeeded to the Throne, by the Name of *Henry the VIIIth.* Never did Prince come to that Dignity with more shining Qualities ; such a natural Disposition to do Good ; and so many Advantages for reigning happily ; infomuch, that no Person in *England* could doubt but that he would efface the Glory of the most illustrious of his Predecessors. He began his Reign at a Time, also, when the most happy Circumstances concurred to make it easy to himself and favourable to his People. Besides his indisputable Title to the Crown, he found the Kingdom peaceable, his Treasury immensely rich ; his Subjects engaged to him in Love and Esteem ; the neighbouring Princes divided, and oblig'd to seek to him, as an Arbitrator of Peace, or War ; in short, to hold the Balance between the two great Houses of *Bourbon* and *Austria*, who were then extremely jealous of each other's Power. But, tho' he retained

The Accession of
Henry VIII.
Anno 1509.

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King Henry VIII. his Grandeur, he soon dissipated his Riches; for all the Treasure his Father amassed, in several Years, to the Value, as Authors attest, of 1,800,000*l.* he prodigally squandered away in three; as if, says Bishop *Burnet*, the Son's Expence was to vie with the Father's Industry and Thriftness. (a)

A Parliament
call'd.

Anno Regni 1.
1509.
At Westminster.

State of the
Peers.

After the Coronation, which was performed, with great Ceremony, at *Westminster*, June 25, 1509, Writs were issued out for calling a Parliament, dated at the same Place, *October* 17th, to meet on the 21st of *January* following. The first Writ, to the Peers, being directed to his most dear Cousin, *Edward Duke of Buckingham, &c.* The rest we subjoin in their Order. (b)

<i>Thomas</i> , Marquess of <i>Charles Somerset</i> ,	<i>Lord Dorset</i> ,	<i>Herbert</i> ,
<i>Henry</i> , Earl of <i>Northumberland</i> ,	<i>Thomas</i> , Lord <i>Darcy</i> ,	
<i>Thomas</i> , Earl of <i>Arundel</i> ,	<i>William</i> , Lord <i>Coniers</i> ,	
<i>John</i> , Earl of <i>Oxford</i> ,	<i>William Blount</i> ,	<i>Lord Mountjoy</i> ,
<i>Thomas</i> , Earl of <i>Surrey</i> ,	<i>John</i> , Lord <i>Zouch</i> ,	
<i>Richard</i> , Earl of <i>Kent</i> ,	<i>John Bourchier</i> ,	<i>Lord Fitz-Warin</i> ,
<i>Henry</i> , Earl of <i>Essex</i> ,	<i>Fitz-Warin</i> ,	
<i>Thomas</i> , Earl of <i>Derby</i> ,	<i>Thomas Ormnd</i> ,	<i>Lord Rochford</i> ,
<i>George</i> , Earl of <i>Shrewsbury</i> ,	<i>Thomas Fennys</i> ,	<i>Lord Dacre</i> ,
<i>Henry</i> , Lord <i>Clifford</i> ,	<i>Ralph Ogle</i> ,	<i>Lord Ogle</i> .
<i>George</i> , Lord <i>Nevile</i> , of <i>Bergavenny</i> ,	<i>John Bourghchiere</i> ,	<i>Lord Berners</i> ,
<i>George</i> , Lord <i>Hastings</i> ,	<i>Edmund Grey</i> ,	<i>Lord Wilton</i> ,
<i>Thomas West</i> , Lord <i>Dela-war</i> ,	<i>William</i> ,	<i>Lord Stourton</i> ,
<i>Richard</i> , Lord <i>Lumley</i> ,	<i>Thomas</i> ,	<i>Lord Dacre</i> ,
<i>John Brooke</i> , Lord <i>Cobham</i> ,	<i>Henry</i> , Lord <i>Scrope</i> ,	<i>of Bolton</i> ,
<i>Edward Sutton</i> ,	<i>Lord Thomas Grey</i> ,	<i>Lord Ferrers</i> ,
<i>Dudley</i> ,	<i>of Groby</i> ,	
<i>Richard Nevile</i> , Lord <i>Lattinor</i> ,	<i>Walter Devereux</i> ,	<i>Lord Ferrers</i> ,
<i>William</i> , Lord <i>Willoughby</i> ,	<i>George</i> , Lord <i>Fitz-Hugh</i> ,	<i>The</i>

(a) *BURNET's History of the Reformation.* Vol. I. P. 2.

(b) *DUGDALE's Summons to Parliament.* Anno 1. Hen. VIII.

The like Writs of Summons were sent to the following Judges, &c. King Henry VIII.

Sir Robert Rede, Knt.	William Grevile,
Robert Brudenell,	Lewis Pollard,
Humphry Conyngsly,	Richard Elyott
Sir John Fisher, Knt.	John Ernley, the King's
John Butler,	Attorney General.

On the Day appointed, being *Monday, January 21*, the Parliament met, in the great Chamber of the Palace at *Westminster*, near the Royal Chapel, or Oratory; and the King sitting on his Throne, *William Wharham*, Archbishop of *Canterbury*, Lord High Chancellor of *England*, by the King's Command, declared the Cause of the Summons under this Text. (c)

Deum time, Regem honorificate. Pet. 2.

Which the Prelate divided into two Parts; to the first, he said, 'That Fear was essential in many Proceedings; and that it particularly required Kings and great Men to fear God, above all others; by the Neglect of which, not only Kings and their Subjects, but even Cities, Commonwealths and Kingdoms, were afflicted, chastised, or, almost, totally subverted. For this Cause, only, that the Fear of God was not before their Eyes.

The Lord Chancellor's Speech at opening the Parliament.

To the second Part he argued, 'That Kings ought to be honoured by their Subjects; and that to honour the King is to chuse Judgment or Understanding. In enlarging upon which, he shewed many Sorts or Kinds of Judgment; concluding, that the abovesaid Honour was the most powerful when the King's Subjects governed themselves well; and, when there was occasion, reformed themselves also. And, when the Judges, acting by the Royal Authority, administer such Judgment as is both just and right, humane and natural. Saying, how necessary good Laws are for the

A 2

right

(c) The following Speech and Proceedings, in this first Parliament of Henry VIII. and all the subsequent ones, from this Time, are translated and extracted from a Manuscript Copy of the Journals of the House of Lords; lately belonging to the Earl of Oxford; purchased by Mr. Osborne, Bookseller in Gray's-Inn.

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King Henry VIII.

‘ right Government of any Kingdom, *quia Leges*
‘ *sunt Norma Rei-publicæ bene instituendæ*; by an
‘ exact Observation of which all Republics must
‘ prosper. He argued, also, that our Forefathers
‘ were accounted Wise, not so much from many
‘ excellent Laws which they made and published,
‘ for the Benefit of Posterity; but for a diligent and
‘ indifferent Observation of them. Hence Almighty
‘ God ought to be prayed to, that good and nourish-
‘ ing Laws might not only be enacted in this Par-
‘ liament, which he, aptly, termed the Stomach
‘ of the Nation, but, that they might be, also,
‘ uprightly executed. Upon Justice, he said, that
‘ it chiefly and necessarily behoved Kings to govern
‘ their Dominions wisely; and then introduced
‘ several other Officers trusted with the Affairs of
‘ the Public. The Judges, who rightly and duly
‘ administred Justice he said, were the *Eyes* of the
‘ Commonwealth; the learned Expositors of the
‘ Laws he stiled the *Tongues* of it. Others were
‘ the Messengers of the Government, as the Sheriffs
‘ and Magistrates of Cities and Counties; the for-
‘ mer of which, who did not execute their Offices
‘ rightly, he compared to *Noah’s Raven*. The
‘ Collectors of the Taxes and Customs he called the
‘ Commonwealth’s Spies, of which Number few,
‘ he said, were found to be good. Others were
‘ the Pillars of the Government, as Juries of twelve
‘ Men are. Lastly, says our Authority, *cum mag-*
‘ *no Audientium Plausu*, he went upon the State of
‘ the whole Kingdom, and urged that it was the
‘ real Interest of each separate Body, Spiritual,
‘ Temporal, and Commonalty, to unite in support-
‘ ing the Crown; that Justice, which is the Queen
‘ of Vertues, may be auspicious in the Nation: That
‘ both Bishop and Peer may join in reforming the
‘ Errors of past Times; in utterly abolishing all
‘ iniquitous Laws; in moderating the rough and
‘ severe ones; in enacting good and useful Statutes;
‘ and, when made, to see that they should be faith-
‘ fully, honestly and inviolably observed. Which,
‘ if this Parliament will perform, then he affirmed
‘ that

‘ that there was no one could doubt, but that God ^{King Henry VIII.}
 ‘ should be feared, the King honoured, and, for the
 ‘ future, the Commonwealth served with good
 ‘ Counsellors, every Way useful to the King and
 ‘ Kingdom.’

After this elaborate Discourse was ended, the Chancellor, in the King’s Name, directed the Commons to meet the next Day, in their accustomed Place, and chuse their Speaker. At the same Time, the Receivers and Tryers of Petitions and Complaints, from different Parts of the King’s Dominions, were appointed. And, since our Authority gives us their Names, we shall, for once, transcribe them, to shew who were the Members of either House, that were trusted with those Affairs at that Time.

Receivers appointed for Petitions from *England, Ireland, Wales, and Scotland*; to be delivered within six Days.

Sir John Young, Sir Roger Lupton, Sir John Taylor.

From *Gascoigny* and other Countries beyond Sea, with the Isles, within seven Days.

Sir Nicholas West, Sir James Whetston,
 Sir William Litchfield, Sir Nicholas Rawstons.

The Tryers of Petitions from *England, Ireland, Wales, and Scotland*, were

The Archbishop of *Can-* Earl of Surrey,
terbury, The Abbots of *Westmin-*
Duke of Buckingham, *ster, St. Edmundsbury*,
 The Bishops of *Winchester*, and *Abingdon*,
Exeter, and *Rochester*, Lord *Hastings*,
 The Earl of *Shrewsbury*, Lord *Herbert*.

All these together, or a Number of these Bishops and Lords, had a Power to call to them the Lord Chancellor or Treasurer, or two other of the King’s Officers when there was Occasion. They were to sit in the Chamber of the King’s Chamberlain.

The Names of the Tryers for Petitions from *Gascoigny* and other Foreign Parts, are omitted, as is supposed, by Neglect of the Clerks. For it follows,

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King Henry VIII. lows, on the Record, that these also had Power to call to them the great Officers above and the King's Serjeant; they were to sit in the Chamber of the Treasury. Some Proxies for absent Bishops and Abbots, being read and allowed of, concluded the Business of the first Day.

The next Day the Commons sent Sir *Robert Drury*, Knt. to the Lords, to acquaint them that they had chosen a Speaker. On which, the Lord Chancellor appointed ten of the Clock the next Morning, for them to present him before the King. And, accordingly they presented *Thomas Inglefield*,^(d) Esq; as their Speaker; whose Excuse, for Insufficiency, being not accepted, with the usual Protestation for Liberty of Speech, &c. he was confirmed. At the same Time it was unanimously agreed, by the Lords Spiritual and Temporal, to meet the next Morning, and every Day during the Sitting of this Parliament, at nine of the Clock, in order to do Business.

Tho. Inglefield,
Esq; elected
Speaker.

The fourth Day of this Parliament, being *Thursday, January 24*, the Lords again met, when four Bills were presented and read. The first, as usual, to confirm the Liberties of Holy Church. The next, to prevent false Returns in Escheats to the Crown. One for forfeited Patents granted for Life; and another for reforming Excess in Apparel. The two first and the last were read twice on that Day, and committed to the King's Attorney and Solicitor General^(e) for their Amendments.

But, we shall not tire our Readers with the further Proceedings of this Parliament, contained in the *Journal Book*; except, when any remarkable Ordinance or Debate occurs. The most useful Statutes which were made in it will appear best under their several Heads in the Sequel.

The particular Writer of this King's Life tells us^(f), ' That, at this Time, it was thought fit,
' for

^(d) *Stowe* calls him Sir *Thomas Ingleby*, Knt.

^(e) These Officers, with the Clerk of Parliament, were then made Use of, as Messengers, to carry Bills from the House of Lords to the Commons.

^(f) *The Life and Reign of King Henry VIII.* By *Edward Lord Herbert of Cherbury*. Fol. Lond. 1682.

‘ for many Reasons, but especially for contenting ^{King Henry VIII.}
 ‘ the Commonality, which seem’d to be wholly
 ‘ altered by the rigorous Proceedings of *Henry VII.*
 ‘ to call a Parliament, which began in *January*
 ‘ following.’ This noble Author adds, that the
 principal Persons design’d to be struck at in it, were
Empson and *Dudley*, two of the late King’s Agents;
 and who were now, not only expos’d to the Re-
 venge of all Men, but had been publicly tryed,
 at *Guildball*, some Time before, for High
 Treason, found guilty and condemn’d for it.

The Reader may observe, that the Lord Chan-
 cellor glances strongly, in his Speech, at the Open-
 ing of this Parliament, against such iniquitous Prac-
 tices, of which these Men had been found guilty.
 And, the principal Scope of the Members of both
 Houses seem’d to have Reference to this Business
 alone; especially the lower House were so warm
 in it, that the King thought proper, adds the Histo-
 rian above quoted, to restrain his own Authority,
 in some Sort, in order to enlarge the People’s Confi-
 dence and Affection to him.

The first Stroke that we find in the *Journal-
 Book*, made at these Oppressors, is in a Bill
 brought from the Commons, and read in the Up-
 per House, for removing and abolishing both the
 Names and Offices of all *Promoters* and *Commissaries*
 for ever. To which the Lords agreed; and ordered
 farther, that the Names of those Officers should be
 entered on the Parliament-Roll, as a perpetual Me-
 morial of their Infamy and Disgrace.

Proceedings a-
 gainst Sir Tho.
Empson and *Edm.*
Dudley, Esq; the
 late King’s Chief
 Ministers.

The next is, that a Bill of Attainder, against the
 Persons and Estates of Sir *Thomas Empson*, Knt. and
Edmund Dudley, Esq; was brought up to the House
 of Lords, and pass’d there without any Opposition.
 Several of the Statutes, by which the late King
 took Advantage of the People, were now either
 repealed, explained, or limited. Amongst which,
 the Benefit of Forfeitures for Penal Laws, was re-
 duc’d to the Term of three Years next succeed-
 ing, the Offence committed to the King; and to
 any

They are attaint-
 ed.

8 *The Parliamentary HISTORY*

King Henry VIII. any other Person within one Year (*g*). Lastly, some untrue Inquisitions, found by *Empson* and *Dudley*, as also, some Assurances of Lands pass'd to them, were annihilated and made void (*h*). But, tho' these Men were cast into Prison, and thus loaded, as it were, by a double Sentence of both Jury and Parliament, yet the King was not over hasty in ordering their Execution. 'Till the next Year, in a Progress he made, the People's Clamours were so great against these Criminals, that, for their Satisfaction, he sent a special Writ to have their Heads struck off. By doing which, says Lord *Herbert*, it was thought by many, that he acted more like a good King than a good Master.

Another later Historian (*i*) remarks, that this Method of condemning People to die, by the Authority of King and Parliament, without particular Mention of the Nature of their Offence, or the Proofs in Support of the Charge, had 'till then been seldom practis'd; but, so dangerous are such Precedents, that it was but too frequently practis'd in the Sequel of this Reign.

There was nothing done else that was material, in this Parliament; except we mention a Repeal of a sumptuary Law; and a new one, a little more decent, substituted. But tho' the noble Historian mentions no Subsidy granted to the King at this Time, yet the *Journal-Book* is not so silent; but tells us, that on the last Day of the Session, the Commons, with Consent of the Lords Spiritual and Temporal, granted a Supply of two *Tenths* and two *Fifteenths*; as by Indenture there specified, beginning with these Words:

A Subsidy
granted.

We your humble Subjects, &c. And,
On which Indenture was endorsed in *French*,
*Le Roi remercie ces Communes de leur bon
Actions en faisant les Grantes subsidies, &c.*

On the last Day of this Parliament, which was *February 23*, being all met in the Chamber called the *Cross Chamber* (*k*) of the Palace; the King on his Throne,

(*g*) Statutes at large, An. 1. Hen. VIII. Cap. 4.

(*h*) Statutes at large, An. 1. Hen. VIII. Cap. 4.

(*i*) RAPHIN'S Hist. of England, Fol. Edit. p. 702.

(*k*) Camera Crucis.

Throne, and the Peers in their Parliament Robes ; King Henry VIII. the Speaker of the House of Commons, now Sir *Thomas Inglefield*, Knt. spoke to the King, on presenting the Bills, to this Effect :

‘ He first bestowed great Praises on his Majesty for the Gifts of Nature, Fortune, and Grace, which God had given to him. But, more particularly enlarged on his promising Valour, wonderful Temperance, divine Moderation in Justice, and his avowed Desire for Clemency. At the same Time he declared, by many Examples, the great good Will and due Obedience which his Subjects payed him ; and as a Testimony of which, the Grant for the Subsidy, which he then presented, containing a very large Sum of Money, was a sure and certain Proof of their Fidelity and Affection towards his most excellent Majesty’s Person and Government.’

The Speaker’s Speech to the King on presenting the Subsidy-Bill.

After this Harangue was ended, all the Bills passed by this Parliament were separately read for the Royal Assent ; and then the Lord Chancellor, in the King’s Name, after reciting what Acts, then made, were most conducive to the publick Good, recommended to all the Lords Spiritual and Temporal, and the Commons, the due Observance of these Laws, in the several Parts of the Kingdom, where they dwelt. Then, returning Thanks to the whole Body, for their great Care and Diligence in enacting them, by the King’s Command, he dissolved the Parliament.

The Parliament dissolved.

The next Year an unnatural Quarrel began between *Julius II.* then Pope, and his most *Christian* Son, *Lewis XII.* King of *France*. All the Princes in *Europe* were interested, one Way or other, in this Dispute ; which had proceeded to an open War between them. Amongst the rest, our *Henry* thought proper to take the weaker Side, and to defend the Cause of Religion ; either, because, as Lord *Herbert* expresses it, that he might gain from *France* the Title of *CHRISTIANISSIMUS*, or, what was more solid, those long lost Dukedoms, which his Predecessors, Kings of *England*, had formerly held in *France*. Stirred up with Religion or Ambition,

Quarrel between Pope Julius II. and Lewis XII. of France.

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King Henry VIII. bition, young *Henry* resolved to push this Affair against *Lewis*, and to that End he summon'd a Parliament, to lay the Matter before them. Accordingly Writs were sent out, dated *Nov. 28.* for one to meet at *Westminster*, on the 4th Day of *February* following.

A Parliament
call'd on that
Account.

At which Time being all assembled in the Painted Chamber, as usual, the King sitting on the Throne, *William* Archbishop of *Canterbury*, still Lord Chancellor, opened the Session by a Speech, or rather a Sermon, from this Text, *Justitia & Pax osculatae sunt.*

Anno Regni 2,
1510.
At Westminster.

This, according to Form, he divided into two Parts. ' In the former of which he took Notice, ' how necessary and even wholsom it was, for any ' powerful Empire, or Government, on any urgent Occasion, such as the present was, to call ' Parliaments, or publick Councils. ' This, he said, ' was the constant Custom of the *Roman* Government ; which he proved from the Testimony of ' *Valer. us Maximus.* It was also the Advice of ' *Solomon*, saying, *Choose ye just Men ; be wise all ye that preside over the People ;* from whence Wisdom, Justice, and Peace, the most shining Virtues of a Commonwealth, must necessarily arise. ' He shewed, that the Divine Wisdom, coming ' from Kings and Rulers, was far above all Earthly Knowledge. And from the Love of two other ' Virtues, *viz.* Justice and Peace, those fruitful, ' mutual, and amicable Commodities, necessary in ' Society, might sooner be gained. But, then, ' lastly, he shewed, that when the Streams of ' Justice are perverted by Men who seek to obtain their Worldly Promotions and Power, variously and scandalously, *per Fas aut Nefas ;* by ' Neglect of the Poor, and being wholly sway'd by ' carnal Affections ; by making Juries swear, ' ing themselves, by Threats and other overbearing Ways ; then he said, it was full Time to reform these Abuses, lest worse should follow.

The Chancellor's
Speech to them.

To the second Part, he said, ' Of holy Peace, ' which *Christ* had left to his Disciples by this Text, ' and

‘ and when Wars should happen, God only suffer’d them on Account of the Sins committed by wicked Princes or Rulers. From the Authority of the Old Testament, he instanced the Story of *Joshua* against the *Amalekites*, and *David* against the *Philistines*; who made War by the immediate Command of God. He likewise told them, that in proclaiming War with an Enemy, we should first of all examine the Justness of the Quarrel and the Intention of the Proclaimer. He added further, what was absolutely necessary in those that took the Field and hop’d for Victory, first, that they should walk in the Ways of the Lord, and in him alone place their Dependance; that every Man should keep the Post he was order’d to; that each Individual should be content with his Pay, and avoid all Plunder.’

King Henry VIII.

Lastly, he told them, ‘ That this present great Council, or Parliament, was called, in order to correct and amend all the Statutes and Ordinances, which were found to be erroneous; or, contrary to the common Course of Justice and the Laws. At the Conclusion, he directed the Commons to meet the next Day to choose their Speaker, and afterward present him to the King.’

The Receivers and Tryers of Petitions being named and appointed, as usual, the next Day the Commons presented Sir *Robert Sheffield* (1), Knt. for their Speaker, who was approved of by the King and confirmed accordingly.

Sir Robert Sheffield chosen Speaker.

But, it was not till the 15th Day of this Session of Parliament, that a direct Declaration of the intended War with *France* was made to them. At which Time, the Lord Chancellor, by the King’s Command, in a very solemn Manner, opened to the Bishops and Lords the more secret Causes for calling this Parliament. He acquainted them first, ‘ That the King of *Scots* had many Ways insulted and even destroy’d several of the King’s Subjects, on the Borders. Next, the War between the

Henry takes Part with the Pope, and declares War against France.

King

(1) Sometime Recorder of London. *Hollinghead*. — He was an Ancestor of the late Duke of *Buckingham*’s Family.

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King Henry VIII. ‘ King of *Castile* and the Duke of *Guelderland*, the King’s Ally, was to be considered. And, lastly, ‘ an Account, translated into *English*, was read by ‘ the Master of the Rolls, concerning the Dissenti- ‘ ons, which were then on Foot, between our ‘ holy Father the Pope and *Lewis* King of *France*; ‘ containing a Recital of all the Contumelies, Mis- ‘ chiefs and Injuries, which had been done to the ‘ Holy See, by the said *French* King.’ And, af- ‘ terwards, the said Lord Chancellor with the Lord ‘ Treasurer, and other Peers, went down to the ‘ Lower House, to acquaint the Commons with these ‘ Matters.

Which is ap-
prov’d by Parlia-
ment, and a Sub-
sidy granted
thereupon.

It hath been several Times observ’d, in the Course of these Enquiries, that a Proposal of a War with *France* was always well entertain’d by an *English* Parliament. Accordingly, this last, tho’ on no extraordinary Grounds, was no sooner propounded to the Houses, than accepted of. The Lords order’d in a Bill and pass’d it, containing certain great Privileges granted to the Marquess of *Dorset*, and other great Men, that would go beyond Sea with the King. And, the Commons voted a large Supply, of two *Tenths* and two *Fifteenths*, with Tonnage and Poundage, to carry on the War (*m*).

Acts pass’d.

The most remarkable Acts that were pass’d, in the first Session of this Parliament, were these: First, ‘ Every Person that is or shall be in the King’s ‘ Wars, beyond the Sea, or upon the Sea, shall ‘ have a Protection of *Profecturus*, or *Moraturus*, ‘ cum *Clausula*, *volumus*. And he may alienate his ‘ Lands, holden *in Copite*, without Licence. And, ‘ if he die in that Service, his Heir within Age and ‘ in Ward, his Executors, Feoffees, or Assigns, ‘ shall have the Wardship and Marriage, towards ‘ the Performance of his Will.’ Also, by another Act, ‘ Penalties were ordain’d for Captains that ‘ abridged the Number of their Soldiers, or detain’d ‘ their Wages; also, for Soldiers departing without ‘ Licence.

‘ That
(*m*) *Hall* writes, that it was two *Fifteenths* of the Temporality, and of the Clergy two *Dismes*.

HALL's Chronicle, Hen. VIII. Fol. xvi.

* That because Money, Plate, and Jewels, &c. King Henry VIII.
 * being carried out of the Kingdom, impoverish'd
 * it; it was enacted, that every Offender that Way
 * should forfeit double Value (n).

An Ordinance formerly made against Escheators, Commissioners, and finding and turning of Offices, was also confirmed. This, it seems, had still Relation to *Empson* and *Dudley's* Proceedings (o). Because, several unlawful Games kept Men from shooting in the Long Bow, they were put down, and Archery commanded. For the better understanding of which Act another passed, whereby the Use of the Cross-Bow was also forbidden (p).

We find by the *Journal-Book*, that in this Parlia- The Attainder a-
 ment the King reversed the Attainder against the gainst Sir Edm.
 late Sir *Edmund Dudley*, and restored his Son *John* Dudley revers'd.
 to all his Lands and Possessions. This *John Dudley*,
 towards the latter End of this Reign, was constituted
 Lord High Admiral of *England*, and was in the
 highest Esteem.

March 30. The Parliament, by the King's Com-
 mand, was prorogued to the 4th of *November* fol-
 lowing (q).

Great Levies and Preparations were now made An Embarkation
 for the *French* War; and being all ready, the Mar- against France.
 quess of *Dorset*, with a large Retinue of other No-
 blemen, and a Body of 10,000 choice *English* Sol-
 diers, were sent into *Spain*, to join with the Duke
D'Alva, the *Spanish* General, and carry Destruction
 into *France* from that Quarter. But, meeting
 with some unforeseen Accidents and Disappoint-
 ments, the General return'd home the next Win-
 ter, *Re infecta*. And now the *French*, according
 to Custom, having drawn in the King of *Scots* by The French draw
 Treaty, to make a Diversion into *England*, in their in the Scots to
 Favour, their Party.

(n) Statutes at large, 3 Hen. VIII. Cap. i, iv, v.

(o) Lord Herbert in Kennet, p. 8.

(p) Ibid. and Statutes at large, 3 Hen. VIII. Cap. iii. and xlii.

(q) During the sitting of this Parliament, one *Nesbitt*, Yeoman of
 the King's Guard, and highly favour'd by him, wilfully slew a Ser-
 vant of the Lord *Willoughby*, in the Palace at *Westminster*; but the
 King resented this so much, that setting aside all Affection, he caus'd
 him to be hang'd in the Palace-yard; where he hung two Days, as an
 Example to others. Hall's Hen. VIII. Fol. xvi.

14 *The Parliamentary* HISTORY.

King Henry VIII. Favour, *Lewis* thought himself above a Match for *Henry*.

On *Nov.* the 4th, this Year, the same Parliament met again, by Prorogation ; though our Statute-Books, and all our Historians, call it a new one. But, tho' the Journals expressly mention this Prorogation, and add, that the Proceedings of this second Session are contained in a Book of the 4th of this King ; yet, that Book, by Negligence, is lost ; so that what we can find, must be taken from the Authorities above mentioned.

A Parliament
at Westminster.
Anno Regni 4,
1512.

A Subsidy granted.

A Poll-Tax.

Lord *Herbert* writes, That the King being now resolved to go abroad in Person, in order to secure his own Dominions from the *Scots*, he sent the Earl of *Surrey* with an Army into *Yorkshire*, to protect those Northern Parts of the Kingdom. Whilst this was doing, he call'd a Parliament to meet at *Westminster* ; where, besides enacting several good Laws, he had a Grant of two more *Tenths* and *Fifteenths* (*r*), as a Subsidy. Besides this, he had a *Poll-Tax* granted him ; which was, of every Duke ten Marks ; of every Earl five Pounds ; a Lord four Pounds ; a Knight four Marks ; of every Man worth eight hundred Pounds in Goods the same ; of each Man who had forty Shillings in Wages, twelve Pence ; and of all who were at, or above, fifteen Years of Age, four Pence.

The French land
in England.

These were heavy Taxes, but the Nation being at that Time threatned with a double Invasion, both from *France* and *Scotland*, the present Danger took off any Resentment from it. We find that the very first Act that was passed this Session, was, in order to secure the Sea-Coasts ; by erecting of Bulwarks, Brays and Walls, in *Cornwall*, and elsewhere ; and fortifying the Castles on these Coasts. Nor was this Precaution without Reason, for the very next Summer the *French* landed a Number of Men in *Suffex*, but they were soon beat back again to their Ships.

On

(*r*) *Stowe* writes, two *Fifteenths* and four *Denies* ; and that it was resolv'd in this Parliament, that the King should go to the Wars in Person.

Stowe's Chron. p. 491.

On the Authority of Lord *Herbert*, we venture King Henry VIII. to say, that after passing the above-mention'd Act and some others of less Concern, this Parliament was again prorogued to *January* the 23d, which was in the Year 1513, or the 5th of this King.

Anno Regni 5,
1513.

In the mean Time *Henry* had headed an *English* Army in Person in *France*, had won the Battle of the *Spurs*, and had taken *Terwin* and the City of *Tournay*; the Citizens of which, to the Number of 80,000, took Oaths to become true Subjects to *Henry*.

Henry takes
Tournay.

James the fourth, King of *Scotland*, had brought a puissant Army into *England*, also, in *Henry's* Absence; but was met in *Northumberland* by the Earl of *Surrey*, when the fatal Battle of *Flodden Field* was fought; in which the *Scotch* King was kill'd, and about ten Thousand of his Followers left dead upon the Spot.

The Scots rout-
ed at Flodden-
Field.

After *Henry's* Return to *England*, the Parliament met as before mentioned; but as far as we can find, very little was done in it. The Title of the first Act passed, in the Statute Books, is to ordain, 'How the King's new Subjects of *Tournay* and *Terwin*, in *France*, may have Assurance and Recovery of their Debts due to them by *Englishmen*; and how *Englishmen* of them.' It was also enacted, 'That every Man that would sue for the King's Pardon, granted on certain Articles, should have it (f).'

Our noble Historian (t) mentions another Thing, remarkable enough, done in this Session of Parliament; which was, 'That *Margaret*, Daughter to *George* Duke of *Clarence*, late Wife to Sir *Richard de la Pole*, Knight, petitioned the King, that since *Edward* Earl of *Warwick*, her Brother, had been attainted in a Parliament, held the 19th of *Henry VII.* and all his Lands confiscated, it would please the King to restore her to Blood and Inheritance, and that she might be stiled Countess of *Salisbury*; which was granted, and confirmed by Parliament.'

Not

(f) Statutes at large 5 Hen. VIII. Cap. i. and viii.

(t) Lord Herbert in Kennet, p. 19.

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King Henry VIII. Not long after this, *Lewis* the *French* King, having first reconciled himself to the Pope and Holy Church, concluded a Peace also with *Henry*; and, tho' he was far advanced in Years, proposed himself as a Match, and actually married the Princess *Mary*, *Henry's* Sister, one of the fairest Ladies of her Time. But, dying within little more than a Month after this, without Issue, the Crown of *France* descended to the next Heir, *Francis de Valois*, his Cousin German.

A Peace with
France.

Anno Regni 6.
1514.
At Westminster.

But, to pursue the Thread of our own History; *Henry*, in the sixth Year of his Reign, thought proper to call another Parliament. And Writs were accordingly issued out, dated *Nov. 23.* to meet at *Westminster*, on the 5th Day of *February* following.

Being all assembled, as usual, before the King, in the Painted Chamber of the Palace, at *Westminster*, *William* Archbishop of *Canterbury*, and Chancellor, made an Oration to them on these Words.

The Chancellor's
Speech to the
Parliament.

Nunc Reges intelligite, erudimini qui judicatis Terram.

On which Words he observed, ' That the Antients with great Care, Study and Love, nourish'd the Commonwealth; and that it was their greatest Glory and Comfort, when they saw it flourish under their Auspices. But our Republick sickens and decays; because, adds he, the Moderns prefer their own private Affairs to the Public. In order, therefore, to restore the Commonwealth to its pristine Sanity, the ablest Physicians are; first, a wise King, which is the Standard of the People; and a Multitude of wise Counsellors, which give Health to the whole World. Afterwards, he told them that the ruling Rod of a Kingdom, was what all Kings ought chiefly to understand, since it went by a triple Direction. The first was, that Kings should carry themselves towards God, both in loving, fearing, and serving him. In the next Place, that they should know how to govern themselves, by Knowledge, Judgment and Reformation. Lastly, that every

King

King ought to learn how to carry himself towards King Henry VIII. his Subjects ; viz. in administering impartial Justice, in giving Audience equally, and in taking the Trouble himself to hear the Complaints of his Subjects. To this, he added, what Qualities belonged also to good Counsellors, viz. that they should give such Counsel as was heavenly, honourable to the King, and useful both to the People and Commonwealth. That they should be Speakers of Truth, and not Flatterers ; firm and not wavering in their Councils, and neither covetous nor ambitious.

To the second Part of his Text, which was, *Erudimini qui judicatis Terram*, which concerns Judges, and all other Officers in the Administration of Justice, he said. ' That it behoved them to judge righteously, without Dread or Fear of any Man ; for, by Fear, the Course of Justice hath been oftentimes hindered and perverted. The principal Cause of which Fear, is, the Want of Love for Justice ; he exhorted them, therefore, that they all should endeavour to cherish that Love ; according to the Saying of Solomon, *Love ye Justice*. He told them, that Justice ought to be highly respected by all, for many Reasons. As well because the Wise Men of old did so, as for its Necessity and Usefulness in Life, in the Preservation of Property. And, as well, because God loved Justice, as it is written, *Righteous is the Lord and he loveth Justice* ; as because the Lovers of Justice shall be blessed of the Lord ; for, in the Gospel, it is said, *Blessed are they that hunger and thirst after Righteousness, and that suffer Persecution for it*. Finally, he exhorted them, diligently to observe the abovesaid Instructions, and that what wanted Reformation in the State he hoped would be amended in this present Parliament ; which, if it was done, would be pleasing to God, give Honour to the King, and abundant Peace and Tranquility to the whole Kingdom. *Quod Deus concedat. Amen.* (a)

VOL. III.

B

The

(a) This whole elaborate Speech of the Prelate's, seems to be comprised in one Line of the Poet ;

Disce Justitiam, Memento, et non temere Divos.

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King Henry VIII

Tho. Neville,
Esq; chosen
Speaker.

The Chancellor having recommended it to the Commons to chuse a Speaker, and the Receivers and Tryers of Petitions being appointed, the next Day they presented *Thomas Neville*, Esq; for that Office. Whose Excuse being rejected, with the usual Protestation, he was allow'd.

Next follows, in the *Journal Book*, the Names of all the Bishops, Abbots, Priors and Lords, then present, in the House, to the Number, in all, of ninety-one. And it is there remarked that their Names are every Day set down, only distinguishing those that are present that Day, with a particular Mark of the Pen against each Name.

On the 6th Day of this Session, *Feb. 10*, the Lord Chancellor, attended by the Archbishop of *York*, the Bishops of *Winchester* and *Durham*, the Earl of *Surrey* Lord Treasurer, the Earl of *Worcester*, with other Peers, went down to the House of Commons, where the Chancellor declared the more particular Causes of the Calling this Parliament.

He first acquainted them, 'That the Money granted to the King, by the last Parliament, was not yet fully received; and that it had been thought necessary to collect the *Poll-Tax*, he supposed, not from the poor and needy, but from the rich, and those who were able to pay it.' To this he added, 'That the *Scotch* had lately, at several Times, done great Injuries to the King's Subjects, both by Land and Sea, and were daily meditating more. By which Attempts, his Majesty, being sufficiently provoked, had determined to declare War against them. Therefore, the Chancellor exhorted the Commons, diligently to consider these Things, and the King's necessary Expences on that Occasion.'

On the 14th of the same Month, a Committee of the Lords, consisting of the Lord Treasurer, the Earls of *Shrewsbury*, *Derby*, *Wiltshire*, *Surrey*; the Lords *Fitz-Walter*, *Bergavenny*, *Willoughby*, and *Cobham*, were appointed to meet certain of the Lower House, in order to consult together on the present State of Affairs.

The

The next Day a Contest arose in the House of ^{King Henry VIII.} Lords, concerning the Super-eminence of Seats in Parliament. *Thomas* Earl of *Surrey* claimed the first Place amongst the Earls, both in and out of Parliament, as being the eldest Son and Heir to the Duke of *Norfolk*. On this Occasion, *Garter*, King at Arms, was sent for before the Lords, who shewed his Book of the Arms and Families of the antient Nobility and other Peers of this Kingdom. But said, that as concerning the Superiority of Seats in Parliament he could not determine. Whereupon the Lord Chancellor deferred the Decision of this Question to *Saturday* following.

And, on that Day, there having nothing material happen'd between, the Lord Chancellor declar'd and decreed, on the Question abovesaid, ' That the ' Earl of *Surrey*, with much Humility and Dis- ' cretion, had agreed to content himself with his ' Place in Parliament, according to his Creation and ' not Dignity. Provided, always, that his Place ' of Honour and Dignity, out of Parliament, ' should be reserv'd to him. And, that if hereafter ' any ancient Records should be found, in the *Tower* ' of *London*, or elsewhere, proving the said pre- ' eminent Place in Parliament to belong to the said ' Earl, that then the said Seat should be restored unto ' him, notwithstanding this present Decree against ' it.' (b).

In the whole Course of the Proceedings of this Parliament, we meet with nothing worth Notice, except that *Tonnage* and *Poundage* was granted, and a Subsidy, but not mentioned how much it was. They sat until the 5th Day of *April*, when we find, by the *Journal-Book*, that they were prorogued to the 12th Day of *November* following. The most remarkable Statutes that were made at this Session, are drawn up by Lord *Herbert* in this Manner :

B 2

' I

(b) By a Note in the *Journal Book* it appears, that this Earl of *Surrey* took Place, on the first Day of this Parliament, as fourth Earl, next after the Earl of *Northumberland*. But now he was put down to the 1st but one, viz. the Earl of *Worcester* ; and continu'd so ever after, till he was Duke of *Norfolk*.

King Henry VIII.

Acts pass'd.

' I shall set down the Laws enacted in this Parliament, where I find one of their chief Cares was, to put into better Order the former Laws concerning Apparel; which yet was not so well digested, but that the Year following, even the Law itself changed Fashion. Howsoever, that of Archery, made before, was not only confirmed, but made perpetual; so that, notwithstanding the Use of Calcevers, or Hand-Guns, for Muskets were not yet known, it was thought fit to continue the Bow. Wherein I cannot but commend the Constancy, if not Wisdom, of those Times; it being certain, that, when he that carries the Calcever goes unarm'd, the Arrow will have the same Effect within its Distance that the Bullet, and can, again, for one Shot return two. Besides, as they used their Halberds with the Bow, they could fall to Execution on the Enemy with great Advantage. I cannot deny yet, but against the Pike they were of less Force than the Calcevers. Therefore, I believe, the Meaning of these Times was, to command it as an Exercise to the Common People, and for the rest reserve it for those Occasions, where they might be of use. Howsoever, Hand-Guns and Cross-Bows were forbidden, under certain Penalties, to all Men that had less than five hundred Marks *per Annum* (c). The Wages for Artificers was also settled, and the Price of Watermen. A Penalty also was imposed on those who changed Tillage into Pasture. And very good Order taken concerning Deceit in Cloth, as being the only Cause they had not so good Vent abroad. The Commission of Sewers extending to the making up of the Sea-Walls, &c. in *England*, the Marches of *Calais*, *Guisnes*, and *Hames*, begun 6 *Hen. VI.* and continu'd 4 *Hen. VII.* for twenty-five Years, being now upon Expiration, was continu'd also for ten Years more. It was commanded also, that the River of *Canterbury* should be deepened. It was provided also, that Wool should not be carry'd beyond Sea; which was to the Benefit of the

(c) The Statute says ccc Marks *per Annum*.*An. 6. Hen. VIII. Cap. 12*

the Clothiers (*d*). No second Letters Patents also might be taken, without mentioning the first; which was very equal both for the King and Subject. And because divers now, being weary with sitting so long in Parliament, did depart home without Licence, they only remaining who factiously combined themselves, with Intention to gain the major Part of Voices in any Thing they desired to obtain, it was ordered they should lose their Wages, if they went without the Leave of the Speaker and Common-House, to be enter'd in the Book of the Clerk of Parliament.

Orders relating
to the Wages of
the Commons.

These Wages have been so often mentioned in this Work, that it may be proper here to give some Account of them; especially, since now they are grown so obsolete, and the Custom so varied, that most of our present Members pay for their Places in the House, instead of being paid by their Constituents, for their Trouble. The Wages were levy'd by the Sheriffs, and the most ancient Writs for Knights Wages, extant, are the 28th, 29th, and 32d of *Edward I.* (*e*) The first Statute concerning them is of the 12th of *Richard II.* viz. *That the levying of the Knight's Expences shall be, as hath been used before this Time.* The Wages in the Time of *Edward IV.* were four Shillings a Day for Knights of the Shire, and two Shillings, at least, for Burgesses; besides the Charges of going and coming, Fees for Writs, &c. (*f*).

B 3

Nothing

(*d*) This Act has been often revived, by Reason of its great Importance; and yet, even now, an effectual Means is wanting to prevent the clandestine Exportation of Wool.

(*e*) See Vol. I. *passim*.

(*f*) *Ult. Die Sept. An. 2. Edw. Quart.* it was ordained and agreed, by the Assent of the Council of the City of *York*, 'That for als mykel as nowe late some Aldermen being of the Parliaments in Time passed have gone to Borde, wheras thay have at all Time before holden House for the Worship of the Cite, that fro' henceforth what Aldermen soever shall go to Parliament, and will hold House, shall have for his Costes daily iiii. and if he go to Borde he shall have but ii. upon the Day and no more fro' noweforth.'

DRAKE'S Ant. of York, p. 357. N. 5.

The last Person that received these Wages was *Andrew Marvel*, Esq; Member for the Town of *Hull*. He died in *Queen Anne's* Time.

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King Henry VIII. Nothing having happen'd in the Government worth Notice, we shall proceed to the next Session of this Parliament, which met according to Prorogation, on the 12th Day of *November*, in the 7th Year of this King. After a List of the Lords Spiritual and Temporal assembled at that Time, and, as usual, several Proxies allow'd for absent Lords, the *Journal-Book* only informs us, that the Lord Chancellor, in a Speech, adjourned the House till the next Day.

Anno Regni 7,
1516.
At Westminster.

The first Thing we find worth Notice was, that, *Nov.* 15th, two Bills were brought into the Upper House by the King's Solicitor; one concerning Conspiracies, and the other relating to what Service was due to the King, in his Wars, by those who held Lands, in Fee, or Annuities, from the Crown. But, tho' it appears by the *Journal*, that the latter of these was read three Times by the Lords, passed, and sent down to the Commons, yet, it is probable they were both thrown out there; for we do not find that either of them, by the printed Books, were pass'd into Statutes.

On the 17th Day of this Session, *Nov.* 28, the Clerk of the Parliament was commanded by the *Lord Cardinal*, and other Lords, that he would annex to the Act of Resumption, a certain Provision, then brought and signed with the King's own Hand, for *George* Earl of *Shrewsbury*; and that he should enter the same on the Rolls of Parliament. There was no Act of Resumption passed into a Law this Parliament, that we can find; and this is only mentioned, because it is the first Time that the Name of the famous *Cardinal Wolsey* has occurred in these Inquiries; of whom much more will be said in the Sequel.

No Matters of any Consequence happen'd till the 39th Day of their sitting, *Dec.* 20, when a Bill was brought into the Lords House, signed with the King's own Hand, concerning the Lady *Mary*, as she is there called, Dowager of *France*, the King's Sister, relating to her Jointure, and which had passed the Commons. This Bill was read

read by the Lords three Times in one Day and as-^{King Henry VIII.} sented to; but of what further Concern it was, neither History nor the Statute Books inform us. The King's two Sisters, *Margaret* and this *Mary*, who had been married to the Kings of *Scotland* and *France*, had each of them lost a Husband. But soon got their Loss repair'd, by marrying themselves very soon after; the former to *Archibald Douglass* Earl of *Angus*; and *Mary* to *Charles Brandon* Duke of *Suffolk*. This last Princess must have been an immense Fortune to the Duke; for Lord *Herbert* (g) assures us, that she brought with her into *England*, in Jewels, Plate, and Tapestry, to the Value of 200,000 Crowns, besides a Jointure of 60,000 Crowns yearly; for the Payment of which the abovesaid Provision was, probably, made by Parliament.

Another *Item*, in the *Journal* of this Day is, also, somewhat remarkable, viz. 'That it being *Thursday* in the Afternoon, and the Vigil of *St Thomas* the Apostle, it was ordered, That every Lord who was at that Time absent should pay ten Pounds.'

The next Day, it is said that a Bill was brought into the House of Lords, concerning a Subsidy to be granted to the King; that it was read the first Time, and then ordered to be carried to the Commons by the Lord Chancellor. But, what this Subsidy was, or whether it pass'd the Lower House or not, is uncertain.

On the 22d of *December*, a Bill for a general Pardon from the King, was pass'd, with nine Ex-^{An Act for a general Pardon.} ceptions contain'd in it. And, the same Day, the Lord Chancellor sent for the Commons into the House of Lords; and, after giving them Thanks for their speedy and hearty Dispatch of Business for the publick Good, he exhorted both Lords and Commons to take Care, that the Laws and Statutes, in this Case provided, be well and regularly kept and observed, in the several Parts of the Kingdom where they

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King Henry VIII. they dwelt. And then, by the King's Command, dissolved this Parliament.

This is the whole of what we think is material enough to extract from the *Journal*, relating to the Proceedings of this Parliament. Except one Thing more, and which is put down in the Beginning of the *Journal*, when the Speaker of the House of Commons was presented to the King; but is what may be better postponed to the End of it. It contains a very high Character of *Thomas Nevile, Esq;* who is here said to be Brother to the Lord *Bergavenny*, and was chosen Speaker to the House of Commons. This Gentleman is much commended for his discreet, diligent, and prudent Management of his Office. Insomuch, that the King thought proper, in full Parliament, to honour him with the Ensigns and Dignity of a Knight of the *Garter*. An Honour, adds the Record, which was never conferred, in this Manner, in any former Age, on any Man whatsoever (*b*).

Acts pass'd.

The most remarkable Acts passed in this Session of Parliament were these; 'An Act to prevent Tillage from being turn'd into Pasture. A Repeal of Licences granted to Strangers, for bringing in of *Gascoign*, or *Guienne* Wines, or *Thouluse* Woad; which added much to the Increase of our own Shipping. A Time was stated, without which all Motions, Bills, Suits, Indictments, or Informations popular, shall be sued, either for the King or Party. And this settled a great deal of Quietness. The Act concerning Labourers Wages, made in the Year preceeding, was also repealed; because it concern'd certain Labourers in *London* (*i*).

It was full seven Years after the Dissolution of the last, before another Parliament was called; the Government, we may well suppose, not wanting Assistance from that collective Body, during all this Time. The Book of printed *Statutes* and *Dugdale's Summons*

(*b*) *Quod Nemini Mortalium, per ulla ante Secula, contigisse auidimus.*

(*i*) Lord Herbert, p. 24. *Statutes at Large*, 7 Hen. VIII.

Summons to Parliament, both inform us, that it was ^{King Henry VIII.} not till the 14th Year of this King, that a Parliament was again summon'd, to meet at the *Black Fryers* in *London*, on the 15th Day of *April*. But there is a much greater *Hiatus* in the *Journal-Book* of the Lords; for on a backside Page of it is wrote, 'That from this Book, which endeth in the 7th of *Henry VIII.* there is no Book extant, amongst the Records, until the 25th Year of this King; nor any *Journal-Book* remaining in the Custody of the Clerk of Parliament.' So that we are entirely left in the Dark, as to this Testimony, for that Time.

But we must not omit a remarkable Passage inserted in the *Journal-Book*, at the Conclusion of the last Parliament, because it is the first Hint, or Step, taken towards the ensuing *Reformation*, which we have yet met with, and is to this Purport. 'This Parliament was dissolved and ended on the 22d Day of *December*, 1515. *John Taylor*, Doctor of Laws (*k*), being Clerk of this Parliament, and at the same Time, which seldom happens, Prolocutor to the lower House of Convocation. Several dangerous Seditions now arose, both in the Parliament and Convocation, between the Ecclesiastical and Secular Powers, about Church Liberties; a certain Fryer-Minor, called *Standish*, being the principal Contriver and Instigator of all these Mischiefs (*l*).'

During this long Interval, *Henry* seems to be learning how to live without Parliaments: And, trusting

(*k*) He is call'd in the Record *Juris Pontificii Doctor*.

(*l*) *Quodam Fratre Minore, Nomine Standish, omnium Malorum Ministris ac Stimulatore*.

This Man's Name was *Henry Standish*, Doctor of Divinity, Warden of the Fryers Mendicants in *London*, and one of the King's Spiritual Council. He opposed the whole Body of the Clergy in a long Dispute on this Question, 'Whether the trying of Clerks in Criminal Causes before Temporal Judges, be directly contrary to the Law of God, and the Liberties of Holy Church? See the whole Proceeding in *Collier's Ecclesiastical History*, Vol. 2. p. 4. &c. And in *Grove's Life of Cardinal Wolsey*, 8vo. Lond. 1743. Vol. 2. p. 320, &c.

This *John Taylor*, who has added this Note in the Journals, somewhat maliciously, was one of his Opponents in the Dispute.

26 The Parliamentary HISTORY

King Henry VIII. trusting all to the Management of his Prime Minister, Cardinal *Wolsey*, he passed his Time in a profound Peace ; indulging himself more in sensual Delights than was consistent with Councils and State Intrigues. Not regarding the old Maxim,
Non bene conveniunt, nec in una Sede morantur,
Majestas et Amor, —

The King writes
a Book against
Luther.

About the Year 1520, *Martin Luther*, a Fryer *Eremit*e, first began his Attacks upon the Papal Power, against whom our King *Henry* enter'd the Lists ; and wrote a learned Treatise in Defence of that Authority, which he afterwards thought necessary to extirpate out of *England*. The Holy Father was not backward in recompensing so extraordinary a Champion for the *Roman See* ; but bestowed the Title of *FIDEI DEFENSOR* on the King ; which neither the Pope nor his Successors could to this Day abrogate, from the Crown of *England*, notwithstanding the Schism, and the many Papal Bulls denounced for that Purpose.

Arbitrary Means
of raising Money
during an Inter-
val of seven Years
without calling a
Parliament.

Lord *Herbert* observes, That, during this Time, some unprecedented Ways had been made Use of to raise Money on the Subject. Orders were sent to all the Sheriffs, to send Lists of every Person's Names, above sixteen Years of Age ; with an exact Account of what each was worth in Land, Stock, Moveables, and Money. This was no less than a general Survey of the whole Kingdom ; agreeable to what was formerly done by *William* the Conqueror (*m*). A general Loan succeeded, of one *Tenth* from Laymen, and a *Fourth* from the Clergy, according to the true Value of their Estates ; besides borrowing 20,000 *l.* from the City of *London*. This general Loan gave great Discontent to the whole Kingdom ; and every one blamed the Cardinal as the Author of it. And he judging, that if raised with Rigour, like a Tax imposed by Parliament, it might stir up a Commotion not easy to be settled, gave Orders to levy it so gently, that it caused a great Miscount in his Calculation. Finding, therefore, this Method to fail ; or, at least, having

(*m*) See the Note (8) in *Tindal's Notes on Robin*, Fol. Ed. p. 759

having resolv'd to determine it in Parliament, the King Henry VIII. King summon'd one to meet, on the 15th of April, 1523, at the *Black Fryers* (n), in *London*. The Cardinal Minister also having greatly embarras'd the *English* Affairs, at that Time, both with *France* and *Scotland*, there seem'd a Necessity to declare War against one or both these Powers.

At the Time appointed, April 15th, *J. Stowe* writes, That the King being seated on the Throne in the Parliament Chamber; at his Feet, on the Right Side, sat the Cardinal of *York* and the Archbishop of *Canterbury*; and at the Rail behind, stood Dr *Tunstal*, Bishop of *London*, who made an eloquent Oration to the Parliament, on the Office of a King, to this Effect (o).

Anno Regni 14,
1523.
At London.

He first said, ' That a King must be a Man of Judgment, according to the Saying of the Prophet *David*, *Deus Judicium Regi da*, &c. And that he must also be a Man of great Learning, according to this Text, *Erudimini qui judicatis Terram*. According to this Saying of the Prophet, he added, that God had sent them a Prince of great Judgment, great Learning, and great Experience; who, according to his princely Duty, forgot not to study how to put forward every Thing that might be profitable to his People and Realm. Lest this Saying of *Seneca* might be laid to his Charge, *Es Rex, et non habes Tempus esse Rex?* Art thou a King, and hast not Time to be a King? Which is as much as to say, Art thou a King, and dost nothing profitable to thy People? Art thou a King, and wilt not provide a Remedy for the Diseases of the Commonwealth? For this Cause, adds the Orator, the King hath call'd this Parliament, both for remedying the Mischiefs that are in the Common Law, as Recoveries, Foreign Vouchers, corrupt Trials; as also, for making and ordering new Statutes, which may be to the great Advantage of the Commonwealth.

The Lord Chancellor's Speech.

Lastly,

(n) *Apud Fratres Prædicatores, London.*

Dugdale's *Summons to Parliament*, An. 14. Hen. VIII.

(o) *Hollinghead's Chron.* p. 376. *Stowe's Chron.* p. 519.

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King Henry VIII. ' Lastly, he willed the Commons to repair to
' their own House, to elect a Speaker ; and certify it
' to the Lord Chancellor, who would acquaint
' them when his Majesty would have him present-
' ed before him.'

Accordingly, the Commons chose for their
Speaker, Sir *Thomas More*, Knt. who being pre-
sented for that Purpose, pleaded his Disabilities, as
usual ; and in his Speech brought in a Story of
Phormio, the Philosopher, who desired *Hannibal* to
come to his Lectures, which when he consented to
and came, *Phormio* began to read *De Re militari*,
of Chivalry ; that as soon as *Hannibal* heard this, he
call'd the Philosopher an arrogant Fool, to presume
to teach him, who was already Master of Chivalry
and all the Arts of War, ' So, says Sir *Thomas*, if
' I should presume to speak, before his Majesty,
' of Learning, and the well ordering of the
' Government, or such like Matters, the King, who
' is so deeply learned, such a Master of Prudence
' and Experience, might say to me as *Hannibal* to
' *Phormio*.' Wherefore, he humbly besought his
Majesty, to order the Commons to chuse another
Speaker.

To this Piece of ancient, and still affected, Mo-
desty, in the Speaker, the Cardinal, as Chancellor,
replied, ' That his Majesty, by long Experience of
' his Service, was well acquainted with his Wit,
' Learning, and Discretion ; and that therefore he
' thought the Commons had chose the fittest Per-
' son of them all to be their Speaker.' Who then
made the usual Protestation and was admitted.

Tho' it is said, in the Declaration, at the Open-
ing of this Session, that the amending the old Laws
and making new ones, was the only Occasion of
the Summons ; yet History informs us, that the
Necessities of the State, for Money, was the real
Motive for calling this Parliament.

In making this Demand, the Cardinal thought
proper that the Spirituality should lead the Van,
in granting the Subsidy. Accordingly, the Bishops
and Clergy, with some little Opposition, taxed
themselves

themselves to the one Half of their Revenues spiri- King Henry VIII.
tual, to be paid in five Years following

After this, the Minister fearing some Opposition to his Demands in the House of Commons, proposed to go there himself, and give his Reasons why the Subsidy should be granted. We are told, that this new Way of making a Demand was much debated in the House: And, if they did admit the Cardinal, whether it should be with a few Followers only, or with his whole Train. The Majority was for the former, but the Speaker, Sir *Thomas More*, gave his Opinion on the Question in these Words (p),
‘ Maisters, for as much as my Lord Cardinal, lately, as yee woote well, layde to our Charge the Lightness of our Tounes, for Things uttered out of this House, it should not in my Minde be amisse to receave him with all his Pompe; with his Maces, his Pillars, his Pole-Axes, his Cross, his Hatte, and the great Seale too; to the Intent, that if he finde the like Faulte with us then, we may lay the Blame upon those whome his Grace bringeth with him.’ This was agreed to, and the Cardinal in the Manner aforesaid, went into the House, and there in a long and eloquent Oration to them, ‘ He charged *Francis the French* King with Breach of Faith, in falsifying the League sworn to for the general Peace of *Christendom*. Besides, his Neglect of the stipulated Annuity for *Tournay*, and some other Matters. Informuch, that the King could do no other, in this publick Cause, than join with *Charles* the Emperor in a War against him. That the Charge thereof had been estimated, and amounted to eight hundred thousand Pounds. Therefore he required, that the abovesaid Sum should be raised out of the *fifth Part* of every Man’s Goods and Lands, to be paid in four Years.’

The Author of the Life of Sir *Thomas More*, tells us, that the House were silent to this Demand, contrary to the Minister’s Expectation; and

Cardinal Wolsey,
Prime Minister,
goes to the House
of Commons to
hasten the Sup-
ply.

(p) From the Life of Sir *Thomas More*, by his Great Grandson
Thomas More, Esq. London, 8vo. 1726. p. 51.

King Henry VIII. and when he demanded some reasonable Answer, every Member held his Peace. At last, the Speaker falling on his Knees, with much Reverence, 'Excused the Silence of the House; abashed, as he said, at the Sight of so noble a Personage, who was able to amaze the wisest and most learned Men in the Realm. But with many probable Arguments he endeavoured to shew the Cardinal, that his Manner of coming thither was neither expedient, nor agreeable to the ancient Liberties of that House.' And, in Conclusion, told him, 'That except all the Members present could put their several Thoughts into his Head, he, alone, was unable, in so weighty a Matter, to give his Grace a sufficient Answer.' Whereupon, adds our Authority, the Cardinal, displeased with the Speaker, suddenly rose up in a Rage and departed (g).

Debate thereupon.

Our Author may be suspected here of a little Partiality to his truly great Ancestor; since, we are told by Lord *Herbert*, that Sir *Thomas* did temporize somewhat with the Court at that Time. For, the next Day, says the noble Historian, Sir *Thomas More*, Speaker of the House of Commons, enforced the Cardinal's Arguments, by endeavouring to demonstrate, 'That it was not a great deal, on this Occasion, to pay four Shillings in the Pound.' To this he was answer'd, 'That though some Men were well monied, yet, in general, it was known, that the *Fifth Part* of Men's Goods was not in Plate or Money, but in Stock and Cattle. And, that to pay away all their Coin, would alter the whole Frame and Intercourse of Things. For, if Tenants come to pay their Landlords in Corn and Cattle only, and the Landlords again could not put them off from paying these Things they had

no

(g) Afterwards, in the Cardinal's Gallery, at *Whitehall*, the Minister said to him, 'I would to God you had been at *Rome*, Sir *Thomas*, when I made you Speaker. Your Grace not offended, so I would too, my Lord, replied Sir *Thomas*, for then I should have seen the Place I long have desir'd to visit, &c.

‘ no Need of, there would be a Stop in all Traffick
 ‘ and Merchandize, and consequently the Shipping
 ‘ of the Nation must decay; and the Nation itself,
 ‘ for Want of Money, grow, in some Sort, barbarous
 ‘ and ignoble. They were desir’d to consider, that the King
 ‘ had already got of them, by Way of Loan, two Shillings
 ‘ in the Pound, which amounted to 400,000 *l.* and now to have
 ‘ four Shillings, would come to, in the whole, 1,200,000 *l.*
 ‘ which first and last is full six Shillings in the Pound,
 ‘ and is almost a third Part of every Man’s Goods; and
 ‘ cannot be had, in Coin, in the whole Kingdom. For Proof
 ‘ of this, it was alledged, that supposing 15,000 Parishes
 ‘ in *England*, and each Parish should pay 100 Marks, this
 ‘ would only amount to 1,500,000 Marks, which is but
 ‘ 1,000,000 *l.* And how many Parishes are there in
 ‘ *England*, out of Cities and Towns, one with another, able
 ‘ to spare 100 Marks? It was said, indeed, that there were
 ‘ no less than 40,000 Parish Churches in *England*, whereas
 ‘ it may be proved there are not 13,000 Parishes; then
 ‘ reckon that the whole Sum cannot amount to above
 ‘ 1,000,000 *l.* and the King demanding 800,000 *l.* and
 ‘ he, after this Valuation, having receiv’d 400,000 *l.*
 ‘ therefore it was judg’d impossible to levy the Sum
 ‘ demanded; for if all the Coin should come into the
 ‘ King’s Hands how should Men live?’

To these Arguments it was reply’d by the Courtiers,
 ‘ That the Money demanded ought not to be accounted as
 ‘ lost, or taken away, but only to be transferred into others
 ‘ Hands of their Kindred or Nation; herein therefore, that
 ‘ no more was done, than that we see ordinarily in Markets;
 ‘ where, though the Money change Masters, yet every one
 ‘ is accommodated. Howsoever, that no Man ought to
 ‘ refuse unto him that fighteth for the Honour and Safety
 ‘ of his Country, so much as will maintain him, since he
 ‘ denies it not even to his Labourer. That those who are
 ‘ employ’d, must have been fed when they staid idle at Home,
 ‘ and

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King Henry VIII.

and yet that they ask'd no more now, to give the uttermost Proof of well-deserving Patriots. Howbeit, you may reply, this will exhaust the Coin from the poorer Sort ; but, to avoid this Objection, let the richer go themselves. Let them shew, in defending their Country, that they merit the better and greater Parts thereof. Our King will not deny them this Honour. Or, when they would desire to be exempt, and lay the Burthen and Hazard upon others, let them not grudge yet the giving so poor a Stipend, as some of their Servants at Home would scarcely take to stand bare-headed to them. Neither are they to value themselves more than others, because they have larger Possessions, unless they employ it for the publick Good ; since, in ancient Times, and even true Reason of State, they deserved not so much, who till'd and manur'd a Country, as they who defended it. Nor is it well said of you, when you object that this will carry the Money out of *England*, and leave it in *France* ; for doth it not carry the Men too, and so in Effect prove but the same Expence ? Notwithstanding, if you be so obstinate as to believe that making War in a Country brings Money to it, do but conceive a while, that the French had invaded us ; would the Money they brought over, think you, enrich our Country ; should any of us be the better for it ? Let us therefore lay aside those poor Scruples, and do what may be worthy the Dignity and Honour of our Nation. When you did conceive the worst that can fall out, you should yet eat your Beef and Mutton here, and wear your Country Cloth ; while others, upon a short Allowance, fought only that you might enjoy your Families and Liberty. But I say confidently you need not fear this Penury or Scarceness of Money ; the Intercourse of Things being so establish'd throughout the whole World, that there is a perpetual Derivation of all that can be necessary to Mankind. Thus your Commodities will ever find out Money ; while, not to go
far,

‘ far, I shall produce our own Merchants only, ^{King Henry VIII.}
 ‘ who, let me assure you, will be always as glad of
 ‘ your Corn and Cattle, as you can be of any
 ‘ Thing they bring you. Let us therefore, in
 ‘ God’s Name, do what becomes us ; and for the
 ‘ rest, entertain so good an Opinion of our Sol-
 ‘ diers, as to believe, that instead of leaving our
 ‘ Country bare, they will add new Provinces to it ;
 ‘ or, at least, bring rich Spoils and Triumphs home.

‘ At last, after much Debate and Contention, it
 was agreed by the Commons, that every Man of Es-
 tate of 20 *l.* yearly and upwards, should pay two
 Shillings in the Pound ; and from 20 *l.* a Year
 downwards to forty Shillings, one Shilling in the
 Pound ; and under forty Shillings, every Head of
 sixteen Years old or more should pay four Pence, in
 two Years. The Cardinal hearing no more was in-
 tended, seemed much troubled ; and therefore, coming
 to the Lower House of Parliament, he told them,
 that he desir’d to reason with those who oppos’d his
 Demands ; but being answer’d, that it was the Or-
 der of that House to hear, and not to reason, but
 amongst themselves, the Cardinal departed. Yet,
 by the liberal Motion of some of the Lower House,
 those of 50 *l.* Land and upwards, were induced to
 give one Shilling more, being three Shillings in the
 Pound, for three Years to come ; which at length
 being continued to the fourth Year, and extended
 to those who were worth five Pound in Goods,
 was all that could be obtained.’

A Subsidy grant-
ed.

We have chose to give this Account in Lord *Herbert’s* own Words, as it is chiefly extracted from *Hall’s Chronicle*, a cotemporary Historian of those Times (*r*). But since, we think, that he hath curtailed his Author too much, we shall add what is omitted, from the *Chronicle* itself.

Hall writes, ‘ That it was one Sir *John Husee*, a *Lincolnshire* Knight, who, to please the Cardinal, first made the Motion in the House of Commons, for xii *d.* in the Pound on Land, upon all those who were worth 50 *l.* a Year and upwards ; to be paid

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(*r*) *Chronicle*, Fol. x. Hen. VIII.

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King Henry VIII. in three Years. That, on the Question's being put, ten or twelve Gentlemen said *Yea*; and on the Negative's being asked, not one *Nay* was heard. For, adds he, the Commons would not condemn nor hinder the landed Men from charging themselves; so that by ten or twelve Persons the Gentlemen were burthen'd with *xii d.* more than others, for which the said Sir *John* had much evil Will.

This Grant, our Author says, was pass'd on the 21st Day of *May*; at which Time, because that *Whitsuntide* was near, the Parliament was adjourned to the 10th of *June*; in the mean while, the Members of the House of Commons were taunted publickly with such Sayings as these, by the People; *Sirs, we hear that you say you will grant ivs. in the Pound; we advise you to do it, that yee may go home with Threats and Curses.*

In this Interval, the Cardinal, by his Power-
Cardinal Wolsey gantine, dissolved the Convocation at *St Paul's*,
dissolves the Con- which had been called by the Archbishop of *Can-*
vocation. *terbury*; and summoned him and all his Clergy to his Convocation at *Westminster*; a Thing that had never been done before in *England*. On which Occasion, *Skelton*, the Wit of that Age, and Poet Laureat, made this Distich;

Gentle Paul laie downe thy Sward,

For Peter of Westminster hath shaven thy Beard.

Hall proceeds and tells us, 'That when the Parliament began again, the landed Men, who were charged *xii d.* in the Pound on *50 l.* a Year and upwards, moved the House, that all such as were worth *50 l.* a Year, or upwards, in Goods, should pay the same Tax in four Years. This Motion occasioned a great Debate in the House; and *June* the 22d the Question was put, and it being doubtful whether the *Yeas* or *Nays* had it, the House divided, the Citizens and Burgeesses by themselves, and the Knights of Shires on the other Side; the former stiffly affirming, that the Motioners were Enemies to the Realm. At the last, the Speaker call'd them all together, and, after long Perswasion, and tampering by private Means, it was agreed that *xii d.*

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in the Pound should be paid in four Years, on 50 *l.* King Henry VIII. in Goods.

A late Writer hath given us an Account of an Affair, too remarkable to be omitted, tho' we know no Authority but his own, and *Collins's British Peerage*, in the Family of *Montagu*, for it (*s*).

It is there said, ' That when *Henry* heard that the Commons made a great Difficulty of granting the required Supply, he was so provoked, that he sent for *Edward Montague*, Esq; (*t*) one of the Members who had no small Influence in the House, and he being introduc'd to his Majesty, had the Mortification to hear him speak in these Words, *Ho! Man, will they not suffer my Bill to pass?* and laying his Hand on Mr *Montague's* Head, who was then on his Knees before him, said, *Get my Bill pass'd by To-morrow, or else To-morrow this Head of yours shall be off.*' We are further told, that this Cavalier Manner of *Henry's* succeeded; for the very next Day the Bill was pass'd.

The King threatens to behead a Member for opposing his Measures.

This may suffice to conclude our historical Account of this Parliament; for on *July* 31st it was adjourned to *Westminster*, and there continued untill *August* 13th, when at Nine o'Clock at Night it was dissolved.

The noble Historian hath left us an Abstract of the most remarkable Statutes made in this Session of Parliament, which is as follows (*u*):

' That our Merchants might have eight Days Preference before Strangers, for buying of broad White Woollen-Cloth, brought to *Blackwell-Hall* in *London*; unless in Fairs, Ports, Creeks, &c. That Strangers using a Handy-craft, should take no Apprentices, nor above two Journeymen, unless they were the King's Subjects. That they should be under the Search and Reformation of the War-

Acts pass'd.

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(*x*) The Life and Times of Cardinal *Wolsey* by *J. Grove*. *Oxford*, *London*. 1744. Vol. III. p. 250.

(*t*) Afterwards made Lord Chief Justice of England, from whom the present Duke of *Montagu* is descended.

(*u*) See also Statutes at Large, An. 14, 15, Hen. VIII.

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King Henry VIII. dens and Fellowship of Handycrafts, and one substantial Stranger, to be chosen by the said Wardens. That they should cause a Mark to be put on the Wares, and Workmanship, to be known thereby. That if they were falsly and deceitfully made, they should be forfeit. That this Provision should extend to Strangers living in other Towns than *London*. That if Strangers were wrong'd, they might seek their Remedy from the Lord Chancellor and Treasurer of *England*, or the Justices of Assize in the Counties where they liv'd. That during this Parliament their Apprentices or Journeymen might continue as before, and so to endure to the last Day of the next Parliament. This Act was not yet to extend to Strangers of *Oxford*, *Cambridge*, and the Sanctuary of *St Martins-le-Grand* in *London*. That if the Officers refused to put a Mark on the Wares, or Workmanship of Joiners, Blacksmiths, &c. being Strangers, that then it was lawful for the Strangers to sell them without the said Mark. That Lords and others, the King's Subjects, of an hundred Pounds yearly, might take and retain Strangers, being Joiners and Glasiers, for their private Service, this Act notwithstanding. That *Englishmen* living under foreign Princes, and being sworn to them, should pay such Custom to our King, Subsidy and Toll, as other Strangers of those Parts do. And that the Governor of the Merchant-Adventurers, or the King's Ambassadors in Foreign Countries, shall certify their Names to the Chancery, to the intent that Order may be given therein to the King's Officers in Havens, Ports, and Creeks. Yet if any such *Englishman* did return to inhabit here, that then he should be restored to all the Liberties of a Subject.

' A College of Physicians, among whom was that famous and learned *Linaker*, chief Physician to the King, was erected, and certain Authorities and Priviledges granted to them.'

' Moreover, the Statute of 6 *Henry VIII.* 13, forbidding shooting in Cross-bows, or Hand-Guns, was dispens'd with in Men of one hundred Pounds *per*

Annui.

Annum. That Coiners, who make Money in any ^{King Henry VIII.} Mint in *England*, should coin of every hundred Pounds of Gold, twenty Pound into Half Angels or Pieces of xl. Pence; and of every hundred Pounds Worth of Bullion, Plate or Silver, a certain Portion into Groats, Two-pences, Pence, Half-pence, and Farthings; the Farthings to have a Mark different from Half-pence. That they who bring less than an hundred Pounds in Bullion or Plate to the Mint, shall have the Tenth Part thereof in Half-pence and Farthings. That this yet shall not extend to the Mint-masters of *York*, *Durham*, or *Canterbury*. Concerning which Law, it is worth the noting, that though it was for the Benefit of the Subject, to have so much of the smallest Sort of Coin, yet by reason of their Littleness it is all worn out.

‘ That they which be in the King’s Service in Wars may aliene their Lands, for Performance of their Wills, without any Fine for Alienation. And if any of them die in the King’s Service in War, his Feoffees or Executors shall have the Wardship of his Heir and Lands.’

‘ Another Act of Attainder was pass’d in this Parliament, against *Edward Stafford* Duke of *Buckingham*, who had been condemned by his Peers, and executed for High-Treason two Years before. The Cardinal, being publickly accused of having sacrificed this Nobleman to his Vengeance, had Interest enough to obtain this Act, in order to divert the *Odium* thrown upon him for it. That this was a meer Piece of Condescension in the Parliament, appears pretty evident from another Act, passed this Session, for restoring *Henry Stafford*, Son of the deceased Lord, to his Blood; and the King soon after, by Letters Patents, granted him Part of the Lands of the said Duke (x).

‘ Also an Act pass’d, that the King shall, for his Life, have Authority, by his Letters Patents, at his Pleasure, to reverse, repeal, and annul, all Attainders of High-Treason, and to restore their Heirs, &c.’

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King Henry VIII. Though we find that a sufficient Time was allow'd for the Payment of the last Subsidy, yet, the War with both *France* and *Scotland* so exhausted the King's Treasury, that the very next Year it was required, from all Men worth forty Pounds, that the whole Subsidy, granted as before, payable in four Years, should be anticipated, and brought to the King in one entire Payment. This unprecedented Proceeding gave the Commons of *England* great Disgust; and they did not fail, says Lord *Herbert*, to impute it all to the Cardinal Minister. It was so insupportable to the poorer Sort of Subjects, as another Author writes (y), that the Payment of it was utterly denied to the Collectors, with Weepings, Cursings, and great Exclamations, which almost grew to an open Rebellion. The County of *Kent* refused it to Lord *Cobham*; *Essex* would not so much as talk with the Commissioners about it; *Huntingdonshire* did the same; *London* would be taxed by none but their Aldermen; and *Suffolk* rose up in Arms, making Poverty their Captain. The Blame of all fell upon the Cardinal; but he, being now by his Church Dignities rendered almost an *English* Pope, looked down upon their Threats with Contempt, and despised their Menaces. However, a little Time after they gave this haughty Prelate some terrible Reasons to alter his Opinion.

The Subsidy payable in four Years requir'd in one ;

Which occasions great Clamours.

This Minister had been so rebuff'd by the House of Commons, in his last Demand of a Supply, that he was in no haste to advise the King to call another Parliament. For, as in his Ministry, there had been none called for seven Years before this last, so it was fix or seven Years more before another was summoned.

Money demanded without Consent of Parliament.

During this Time one of his greatest Attempts to raise Money, without the Help of Parliament, happen'd in the Year 1526, the 17th of this King; when Commissions were sent into every County in *England*, for levying the sixth Part of every Layman's

(y) J. Speed's *Chronicle*, p. 762.

man's Goods, and the fourth of the Clergy's. This ^{King Henry VIII.} the People resented so much that it had like to have occasioned a Rebellion. They alledged, first, that these Commissions were against Law; next, their own Poverty; and that the King, since the 14th of his Reign, had received of them twenty *Fifteen*ths. But, as the noble Historian observes (y), this seemed all to be done without the King's Knowledge, so when the Consequence of it appear'd, it was resolv'd to disavow the whole Proceeding. And the King sent Letters, all over *England*, declaring he would ask nothing of them but by way of *Benevolence*. So that the Cardinal, by these Means, got many a Curse, and the King as many Blessings.

Which occasions so great Murthering, that the King disavows the Project.

In the Year 1528 began the grand Affair of the Divorce between *Henry VIII.* and his Queen *Katherine*. We shall leave a thorough Disquisition of this Matter to Lord *Herbert*, Bishop *Burnet*, and our general Historians of these Times. And shall only collect what an *English* Parliament had to do, in this great and memorable Event.

But before this mighty Matter took Place, it proved the Ruin of the Cardinal; for being detected of some under-hand Dealing, between the Pope and the King, and having managed so ill as to make both Queen *Katherine*, and the designed new *Sultana* Mrs. *Anne Bullein*, his Enemies (z); he fell first into Disgrace, and afterwards under the Monarch's highest Displeasure. The Cardinal was first indicted in the *King's-Bench*, on the Statute 16 *Richard II.* concerning *Premunires*; found guilty, and Sentence was passed upon him, 'That he was out of the King's Protection; his Lands, Goods and Chat-

The Disgrace of Cardinal Wolsey.

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(y) Lord *Herbert*.

(z) *Grafton* writes, that *Henry* took his first Hint of the Divorce from a Match which was proposed by the *French* Embassadors, in his 17th Year, between their young King and the Lady *Mary*, the King's Daughter: But the President at *Paris* demurred to the Match, upon the Question, Whether she was legitimate, or not? He adds, that the Common People disliked this Proposal; for since she was Heir to the Crown, they would have no *Frenchman* to be King of *England*. *GRAFTON'S Chron.* P. 1147.

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King Henry VIII. 'tels forfeit; and that his Person might be seized
He is prosecuted 'on.' He was afterwards tried by a great Council,
in the King's- Bench and Star- Chamber; collected for that Purpose in the *Star-Chamber*;
where he met with no better Treatment. And,

Anno Regni 20.
1529.

At Westminster. Henry did wisely; since by interesting the Public
in his Condemnation, he both declined the Censure
of those, who thought the late Proceedings too se-
vere, and endeared his People to him, by putting
the Power of punishing their Enemy into their own
Hands.

Sir Thomas More
Lord Chancellor,
his Speech,

On the first Day of this Parliament's Meeting,
Sir Thomas More, now Lord Chancellor, made an elo-
quent Oration, says *Hall*, to this Effect: 'That,
' like as a good Shepherd, who, not only tendeth
' and keepeth well his Sheep; but, also, foreseeeth
' and provideth against every Thing, which either
' may be hurtful or noisome to his Flock; or may
' preserve and defend the same against all Chances
' to come; so the King, who was the Shepherd,
' Ruler and Governor of this Realm, vigilantly fore-
' seeing Things to come, considered how divers
' Laws, by long Continuance of Time and Muta-
' tion of Things, were now grown insufficient and
' imperfect: And also, that by the frail Condition
' of Man, divers new Enormities were sprung up
' amongst the People, for the which no Law was
' made to reform the same, he said, was the very
' Cause why, at this Time, the King had sum-
' moned his High Court of Parliament. He re-
' sembled the King to a Shepherd or Herdsman,
' also, for this Cause; if a King is esteemed, only,
' for his Riches, he is but a rich Man; if, for his
' Honour,

(a) This Parliament was first summoned to the *Black-Fryers, Lon-
don*, but was adjourned to *Westminster*.

DUGDALE, Anno 21, Hen. VIII.

The same Author hath given us the whole Order of Procession the
King made, from *Bridewell* to *Westminster*, to meet this Parliament;
but as a much greater occurs in the Sequel, it is postponed till then.
The Fee paid to Garter King at Arms, for entering the new Peers
and regulating their Seats, was *xxs*.

Honour, he is but an honourable Man ; but, com- King Henry VIII.
pare him to the Multitude of his People, and the
Number of his Flock, then is he a Ruler, a Go-
vernor of Might and Power ; so that his People
maketh him a Prince, as, of the Multitude of
Sheep cometh the Name of a Shepherd. And,
as you see, that, amongst a great Flock of Sheep,
some be rotten and faulty, which the good Shep-
herd sendeth from the sound Sheep ; so, the *Great*
Weather, which is of late fallen, as you all know,
juggled with the King so craftily, scabbedly, and
untruely, that all Men must think, that he ima-
gined, himself, that the King had no Sense to
perceive his crafty Doings, or presumed that he
would not see or understand his fraudulent Jug-
gling and Attempts. But, he was deceived ; for
his Grace's Sight was so quick and penetrable, that
he not only saw him, but saw through him, both
within and without ; so that he was entirely o-
pen to him. According to his Desert, he hath
had a gentle Correction ; which small Punish-
ment the King would not should be an Example
to other Offenders ; but openly declareth, that
whosoever, hereafter, shall make the like Attempt,
or commit the like Offences, shall not escape
with the like Punishment. Lastly, the Chancel-
lor said, that because they of the House of Com-
mons were a great Number, and could not speak
all at one Time ; therefore, the King's Pleasure
was, that they should resort to their own House, and
there amongst themselves, according to ancient
Custom, chuse an able Person to be their com-
mon Mouth, or Speaker ; and after they have so
done, to advertise his Grace thereof, who will
declare to them his Pleasure, what Day he will
have him presented in this Place.

On the 6th of *November*, the Commons presented Thomas Audley,
Thomas Audley, Esq; to the King as their Speaker, Esq; chosen
who there made another eloquent Oration, which, ^{Speaker.}
says Hall, consisted of two Points ; the first was,
That he much praised the King for his Equity
and Justice, mixed with Mercy and Pity ; so that

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‘ no Offence was forgotten or left unpunished ;
 ‘ and, in the Punishment, the Extremity or Rigour
 ‘ of the Law was not cruelly extended ; which
 ‘ should be a Cause both to bridle all Men from do-
 ‘ ing the like Offences, and an Encouragement to
 ‘ Offenders to confess their Faults, and occasion A-
 ‘ mendment and Reconciliation.’ To the second
 Point, ‘ He endeavoured to disable himself, for want
 ‘ of Sense, Learning and Discretion, for taking so
 ‘ high an Office ; beseeching the King, to cause his
 ‘ Commons to resort again to their House, and there
 ‘ to chuse another Speaker for that Parliament.’

To this the King replied, by the Mouth of the
 Chancellor, ‘ That whereas he sought to disable
 ‘ himself in Sense and Learning, his own elaborate
 ‘ Discourse, there made, testified to the contrary :
 ‘ And touching his Discretion and other Qualities,
 ‘ the King himself had well known him and his
 ‘ Doings, since he was in his Service, to be both
 ‘ wise and discreet ; and so, as an able Man he ac-
 ‘ cepted him, and admitted him Speaker.’

The principal Thing we meet with, is, that cer-
 tain Articles were now preferred against the Cardi-
 nal. Lord *Herbert* has copied them from the ori-
 ginal Record, which, he says, he has thought fit to
 transcribe, because our vulgar Chronicles have mis-
 represented them : And, though many in Number,
 they must find a Place in these Enquiries (*b*).

Articles exhibit-
 ed in Parliament
 against Cardinal
 Wolsey.

‘ **C**ONstrained by Necessity of our Fidelity and
 Consciences, complain and shew to your Royal
 Majesty, We your Grace’s humble, true, faithful and
 obedient Subjects, That the Lord Cardinal of *York*,
 lately your Grace’s Chancellor, presuming to take
 upon him the Authority of the Pope’s Legate *de*
Latere, hath, by divers and many sundry Ways and
 Fashions, committed notable, high, and grievous
 Offences ; misusing, altering, and subverting the Or-
 der of your Grace’s Laws, and otherwise contrary
 to your high Honour, Prerogative, Crown, Estate,
 and

(*b*) KENNET, Vol. II. Pag. 125, &c. COKE’S IV *Institutes*,
 Fol. 89, &c.

and Dignity Royal; to the inestimable Damage of *King Henry VIII.* your Grace's Subjects of every Degree, and consequently to the great Hindrance, Diminution, and Decay of the universal Wealth of this your Grace's Realm, as it is touched summarily and particularly in certain Articles here following; which be but a few in comparison of all his Enormities, Excesses, and Transgressions, committed against your Grace's Laws. That is to say,

Imprimis Where your Grace, and your noble Progenitors within this your Realm of *England*, being Kings of *England*, have been so free, that they have had in all the World no other Sovereign, but immediately subject to Almighty God in all Things, touching the Regality of your Crown of *England*; and the same Preheminence, Prerogative, Jurisdiction, lawful and peaceable Possession, your Grace, and your noble Progenitors have had, used, and enjoyed without Interruption, or Business therefore, by the Space of two hundred Years, and more; whereby your Grace may prescribe against the Pope's Holiness, that he should not nor ought to send, or make, any Legate to execute any Authority Legantine, contrary to your Grace's Prerogative within this your Realm: Now the Lord Cardinal of *York* being your Subject, and natural Liege born, hath of his high, orgillous (*), and insatiable Mind, for his own singular Advancement and Profit, in Derogation, and to the great Inblemishment and Hurt of your said Royal Jurisdiction and Prerogative, and the large Continuance of the Possession of the same, obtained Authority Legantine, by reason whereof he hath not only hurt your said Prescription, but also, by the said Authority Legantine, hath spoiled and taken away from many Houses of Religion in this your Realm much Substance of their Goods; and also hath usurped upon all your Ordinaries, within this your Realm, much Part of their Jurisdiction, in Derogation of your Prerogative, and to the great Hurt of your said Ordinaries, Prelates, and Religious.

‘ II.

(*) Haughty, arrogant, presumptuous. SHAKESPEARE.

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‘II. Also, the said Lord Cardinal, being your Ambassador in *France*, made a Treaty with the *French* King for the Pope, your Majesty not knowing any Part thereof, nor named in the same; and binding the said *French* King to abide his Order and Award, if any Controversy or Doubt should arise upon the same betwixt the said Pope and the *French* King.’

‘III. Also, the said Lord Cardinal being your Ambassador in *France*, sent a Commission to Sir Gregory de Casalis, under your great Seal in your Grace’s Name, to conclude a Treaty of Amity with the Duke of *Ferrara*, without any Command or Warrant of your Highness, nor your said Highness advertised, or made privy to the same.’

‘IV. Also, the said Lord Cardinal, of his presumptuous Mind, in divers and many of his Letters and Instructions sent out of this Realm to outward Parts, had join’d himself with your Grace, as in saying, and writing in his said Letters and Instructions, *The King and I*. And, *I would ye should do thus. The King and I give unto you our hearty Thanks*. Whereby it is apparent, that he used himself more like a Fellow to your Highness than like a Subject.’

‘V. Also, whereas it hath ever been accustomed within this your Realm, that when Noblemen do swear their Household-Servants, the first Part of their Oath hath been, that they should be true Liege-Men to the King, and his Heirs Kings of *England*; the same Lord Cardinal caused his Servants to be only sworn to him, as if there had been no Sovereign above him.’

‘VI. And also, whereas your Grace is our Sovereign Lord and Head, in whom standeth all the Surety and Wealth of this Realm, the same Lord Cardinal, knowing himself to have the foul and contagious Disease of the *Great Pox* broken out upon him in divers Places of his Body, came daily to your Grace, rowning in your Ear, and blowing upon your most noble Grace, with his petilous and infective

fective Breath, to the marvellous Danger of your Highness, if God of his infinite Goodness had not better provided for your Highness. And when he was once healed of them, he made your Grace to believe that his Disease was an Impostume in his Head, and of none other Thing.' King Henry VIII.

'VII. Also, the said Lord Cardinal, by his Authority Legantine, hath given, by Prevention, the Benefices of divers Persons, as well Spiritual as Temporal, contrary to your Crown and Dignity, and your Laws and Estatutes therefore provided, by reason whereof he is in danger to your Grace of Forfeiture of his Lands and Goods, and his Body at your Pleasure.'

'VIII. Also, the said Lord Cardinal, taking upon him otherwise than a true Counsellor ought to do, hath used to have all Ambassadors to come first to him alone, and so hearing their Charges and Intents, it is to be thought he hath instructed them after his Pleasure and Purpose, before that they came to your Presence; contrary to your high Commandment by your Grace's Mouth to him given, and also to other Persons, sent to him by your Grace.'

'IX. Also, the said Lord Cardinal hath practised so, that all Manner of Letters sent from beyond the Sea to your Highness have come first to his Hands, contrary to your high Commandment by your own Mouth, and also by others sent to him by your Grace; by reason whereof your Highness, nor any of your Council, had Knowledge of no Matters, but such as it pleased him to shew them; whereby your Highness, and your Council have been compell'd of very Force to follow his Devices, which oftentimes were set forth by him under such crafty and covert Means, that your Highness and your Council hath oftentimes been abused. Inso-much, that when your Council have found, and put divers Doubts and Things which have afterwards ensued, he to abuse them used these Words, *I will lay my Head that no such Thing shall happen.*'

'X. Also,

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King Henry VIII.

‘ X. Also, the said Lord Cardinal hath practised that no Manner of Person, having Charge to make Espiall of Things done beyond the Sea, should at their Return come first to your Grace, nor to any other of your Council, but only to himself, and in case they did the contrary, he punished them for so doing.’

‘ XI. Also, the said Lord Cardinal hath granted Licence under your Great Seal for carrying out of Grain and other Victual, after the Restraint hath been made thereof, for his own Lucre, and singular Advantage of him and his Servants, for to send thither as he bare secret Favour, without your Grace’s Warrant or Knowledge thereof.’

‘ XII. Also, the said Lord Cardinal used, many Years together, not only to write unto all your Ambassadors resident with other Princes, in his own Name, all Advertisements concerning your Grace’s Affairs being in their Charge, and in the same his Letters wrote many Things of his own Mind, without your Grace’s Pleasure being known, concealing divers Things which had been necessary for them to know, but also caused them to write their Advertisements unto him ; and of the same Letters he used to conceal, for the compassing of his Purposes, many Things both from all your other Counsellors, and from yourself also.’

‘ XIII. Also, where good Hospitality hath been used to be kept in Houses and Places of Religion of this Realm, and many poor People thereby relieved, the said Hospitality and Relief is now decayed, and not used ; and it is commonly reported that the Occasion thereof is, because the said Lord Cardinal hath taken such Impositions of the Rulers of the said Houses, as well for his Favour in making of Abbots and Priors, as for his Visitation, by his Authority Legantine. And yet, nevertheless, taketh yearly of such Religious Houses, such yearly and continual Charges, as they be not able to keep Hospitality, as they used to do, which is a great Cause that there be so many Vagabonds, Beggars and Thieves.’

‘ XIV.

‘XIV. Also, where the said Lord Cardinal said, ^{King Henry VIII.} before the Suppression of such Houses as he hath suppressed, that the Possessions of them should be set to Farm among your Lay-Subjects, after such reasonable Yearly Rent, as they should well thereupon live, and keep good Hospitality: And now the demesne Possessions of the said Houses, since the Suppression of them, hath been surveyed, met and measured by the Acre, and be now set above the Value of the old Rent: And also such as were Farmers by Covent-Seat and Copy-Holders be put out, and amoved of their Farms, or else compell’d to pay new Fines, contrary to all Equity and Conscience.’

‘XV. Also, the said Lord Cardinal, sitting among the Lords, and other of your most Honourable Council, used himself that if any Man would shew his Mind according to his Duty, contrary to the Opinion of the said Cardinal, he would so take him up with his accustomable Words, that they were better to hold their Peace than to speak, so that he would hear no Man speak but one or two great Personages, so that he would have all the Words himself, and consumed much Time with a fair Tale.’

‘XVI. Also, the said Lord Cardinal, by his Ambition and Pride, hath hindered and undone many of your poor Subjects for Want of Dispatchment of Matters; for he would no Man should meddle but himself. Infomuch, that it hath been affirm’d by many wise Men, that ten of the most wisest and most expert Men in *England* were not sufficient, in convenient Time, to order the Matters that he would retain to himself: And many Times he deferred the ending of Matters, because that Suitors should attend and wait upon him, whereof he had no small Pleasure that his House might be replenish’d with Suitors.’

‘XVII. Also, the said Lord Cardinal, by his Authority Legantine, hath used, if any spiritual Man having any Riches or Substance, deceas’d, he hath taken their Goods, as his own; by reason whereof their Wills be not perform’d; and one Mean he had, to put them in Fear that were made Executors to refuse to meddle.’

‘XVIII.

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King Henry VIII.

‘XVIII. Also, the said Lord Cardinal constrained all Ordinaries in *England* yearly to compound with him, or else he will usurp Half or the Whole of their Jurisdiction by Prevention, not for good Order of the Diocese but to extort Treasure; for there is never a poor Arch-Deacon in *England*, but that he paid yearly to him a Portion of his Living.’

‘XIX. Also, the said Lord Cardinal hath not only, by his untrue Suggestion to the Pope, shamefully slandered many good religious Houses, and good virtuous Men dwelling in them, but also suppressed by reason thereof above thirty Houses of Religion; and where, by Authority of his Bull, he should not suppress any House that had more Men of Religion in Number, above the Number of six or seven, he hath suppressed divers Houses that had above the Number; and thereupon hath caused divers Offices to be found by Verdict, untruly, that the religious Persons, so suppressed, had voluntarily forsaken their said Houses, which was untrue; and so hath caus’d open Perjury to be committed, to the high Displeasure of Almighty God.’

‘XX. Also, the said Lord Cardinal, hath examined divers and many Matters in the Chancery, after Judgment thereof given at the Common Law, in Subversion of your Laws; and made some Persons restore again to the other Party condemned, what they had in Execution by vertue of the Judgment in the Common Law.’

‘XXI. Also, the said Lord Cardinal hath granted many Injunctions by Writ, and the Parties never call’d thereunto, nor Bill put in against them. And, by reason thereof, divers of your Subjects have been put from their lawful Possession of their Lands and Tenements, And, by such Means, he hath also brought the more Party of the Suitors of this your Realm before himself, whereby he and divers of his Servants have gotten much Riches, and your Subjects suffered great Wrongs.’

‘XXII. Also, the said Lord Cardinal, to augment his great Riches, hath caused divers Pardons granted

granted by the Pope to be suspended, which could not be revived till that the said Lord Cardinal were rewarded, and also have a yearly Pension of the said Pardon.

‘XXIII. Also, the said Lord Cardinal, not regarding your Laws nor Justice, of his extort Power, hath put out divers and many Farmers of his Lands, and also Patents of the Archbishoprick of *York*, and Bishoprick of *Winchester*, and of the Abbey of *St. Albans*, which had good and sufficient Grant thereof by your Laws.’

‘XXIV. Also, the same Lord Cardinal, at many Times when any Houses of Religion have been void, he hath sent his Officers thither, and with crafty Persuasions hath induced them to compromise their Election in him. And that, before ever he named, or confirmed any of them, he and his Servants received so much great Goods of them, that in Manner it hath been to the undoing of the House.’

‘XXV. Also, by his Authority Legantine, the same Lord Cardinal hath visited the most Part of the Religious Houses and Colleges in this your Realm, hath taken of them the twenty-fifth Part of their Livelihood, to the great Extortion of your Subjects, and Derogation of your Laws, and Prerogative, and no Law to bear him so to do.’

‘XXVI. Also, when Matters have been near at Judgment by Process at your Common Law, the same Lord Cardinal hath not only given and sent Injunctions to the Parties, but also sent for your Judges, and expressly by Threats commanding them to defer the Judgment, to the evident Subversion of your Laws, if the Judges would so have ceased.’

‘XXVII. Also, whereas neither the Bishoprick of *York*, nor *Winchester*, nor the Abbey of *St. Albans*, nor the Profit of his Legation, nor the Benefit of the Chancery, nor his great Pension out of *France*, nor his Wards, and other inordinate Taking could not suffice him, he hath made his Son *Winter* to spend Twenty-seven Hundred Pounds by Year, which he taketh to his own Use, and giveth him not past Two Hundred Pounds yearly to live upon.’

D

‘XXVIII.

King Henry VIII.

‘ XXVIII. Also, where the said Lord Cardinal did first sue unto your Grace to have your Assent to be *Legatus de Latere*, he promised and solemnly protested before your Majesty, and before the Lords both Spiritual and Temporal, that he would nothing do nor attempt by Vertue of his Legacy, that should be contrary to your gracious Prerogative, or Regality, or to the Damage or Prejudice of the Jurisdiction of any Ordinary, and that by his Legacy no Man should be hurt or offended; and upon that Condition, and no other, he was admitted by your Grace to be Legate within this your Realm, which Condition he hath broken, as is well known to all your Subjects. And when that he made this Promise, he was busy in his Suit at *Rome*, to visit all the Clergy of *England*, both exempt and not exempt.’

‘ XXIX. Also, upon the Suit of the said Lord Cardinal at *Rome* to have his Authority Legantine, he made untrue Surmise to the Pope’s Holiness against the Clergy of your Realm, which was, that the Regular Persons of the said Clergy had given themselves in *reprobum sensum*; which Words St. *Paul* writing to the *Romans* applied to abominable Sin: Which Slander to your Church of *Englana* shall for ever remain in the Register at *Rome* against the Clergy of this your Realm.’

‘ XXX. Also, the said Lord Cardinal had the more Part of the Goods of Dr. *Smith*, late Bishop of *Lincoln*, Bishop *Savage* of *York*, Mr. *Dalby*, Arch-Deacon of *Richmond*, Mr. *Tonyers*, Dr. *Rothall*, late Bishop of *Durham*, and of Dr. *Fox*, late Bishop of *Winchester*, contrary to their Wills, and your Laws and Justice.’

‘ XXXI. Also at the Oyer and Terminer at *York*, Proclamation was made, that every Man should put in their Bills for Extortion of Ordinaries, and when divers Bills were put in against the Officers of the said Lord Cardinal, of Extortion, for taking Twelve-pence of the Pound for Probation of Testaments, whereof divers Bills were found before Justice *Fitz-Herbert* and other Commissioners, the same Lord Cardinal remov’d the same Indictments into

into the Chancery by *Certiorari*, and rebuked the same Indictment for the same Cause.' King Henry VIII.

'XXXII. Also, the said Lord Cardinal hath busied, and endeavoured himself by crafty and untrue Tales to make Dissention and Debate amongst your Nobles of your Realm, which is ready to be proved.'

'XXXIII. Also the said Lord Cardinal's Officers have divers Times compelled your Subjects to serve him with Carts for Carriage. And also his Servants have taken both Corn and Cattle, Fish, and all other Victuals at your Grace's Price, or under, as though it had been for your Grace, which is contrary to the Laws.'

'XXXIV. Also, the said Lord Cardinal hath misused himself in your most honourable Court, in keeping of as great Estate there in your Absence, as your Grace would have done, if you had been there present in your own Person.'

XXXV. Also his Servants, by Vertue of your Commission under your Broad Seal by him to them given, have taken Cattle, and all other Victuals at as low Price as your Purveyors have done for your Grace by your Prerogative, against the Laws of your Realm.'

'XXXVI. Also, where it hath been accustomed that your Purveyors for your honourable Household have had yearly out of your Town and Liberty of *St. Albans* Three Hundred or Four Hundred Quarters of Wheat, Truth it is, that since the Lord Cardinal had the Room of Abbot there, your said Purveyors could not be suffered by him, and his Officers, to take any Wheat within the said Town or Liberties.'

XXXVII. Also he hath divers Times given Injunction to your Servants, that have been for Causes before him in the Star-Chamber, that they nor other for them should make Labour, by any Manner of Way directly or indirectly, to your Grace, to obtain your gracious Favour or Pardon, which was a presumptuous Intent for any Subject.'

'XXXVIII. Also the said Lord Cardinal did call before him Sir *John Stanley*, Knight, which had taken a Farm by Covent-Seal of the Abbot and Con-

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King Henry VIII. vent of *Chester*, and afterwards by his Power and Might, contrary to Right, committed the said Sir *John Stanley* to the Prison of Fleet by the Space of an Year, unto such Time as he compelled the said Sir *John* to release his Covent-Seal to one *Leghe* of *Adlington*, which married one *Larke's* Daughter, which Woman the said Lord Cardinal kept, and had with her two Children. Thereupon the said Sir *John Stanley*, upon Displeasure taken in his Heart, made himself Monk in *Westminster*, and there died.

‘XXXIX. Also, on a Time your Grace being at *St. Albans*, according to the antient Custom used within your Verge, your Clerk of the Market doing his Office, did present unto your Officers of your most honourable Household the Prices of all Manner of Victuals, within the Precinct of the Verge, and it was commanded by your said Officers to set up the said Prices both on the Gates of your honourable Household, and also in the Market-Place within the Town of *St. Albans*, as of antient Custom it hath been used; and the Lord Cardinal hearing the same, presumptuously, and not like a Subject, caused the foresaid Prices which were sealed with your Grace's Seal, accustomably used for the same, to be taken off, and pulled down in the said Market-Place where there were set up, and in the same Place set up his own Prices, sealed with his Seal, and would if it had not been letted, in semblable Manner used your Seal standing upon your Grace's Gates, and also would of his presumptuous Mind have openly set in the Stocks within your said Town your Clerk of your Market. By which Presumption and Usurpation your Grace may perceive, that in his Heart he hath reputed himself to be equal with your Royal Majesty.’

‘XL. Also the said Lord Cardinal, of his further pompous and presumptuous Mind, hath enterprised to join and imprint the Cardinal's Hat under your Arms in your Coin of Groats, made at your City of *York*, which like Deed hath not been seen to have been done by any Subject within your Realm before this Time.

* XLI. Also, where one *Sir Edward Jones*, King Henry VIII. Clerk, Parson of *Crowley* in the County of *Buckingham*, in the 18th Year of your most noble Reign, lett his said Parsonage with all Tythes, and other Profits of the same to one *William Johnson*, by Indenture for certain Years, within which Years the Dean of the said Lord Cardinal's College in *Oxford* pretended Title to a certain Portion of Tythes within the said Parsonage, supposing the said Portion to belong to the Parsonage of *Chichelley*, which was appropriated to the Priory of *Tykesford*, lately suppressed; where, of Truth, the Parsons of *Crowley* have been peaceably possessed of the said Portion Time out of Mind: Whereupon a *Sub-pœna* was directed to the said *Johnson* to appear before the said Lord Cardinal at *Hampton-Court*; where, without any Bill, the said Lord Cardinal committed him to the Fleet, where he remained by the Space of twelve Weeks, because he would not depart with the said Portion; and at the last, upon a Recognizance made, that he should appear before the said Lord Cardinal wheresoever he was commanded, he was delivered out of the Fleet. Howbeit, as yet the said Portion is so kept from him, that he dare not deal with it.

* XLII. Also, where one *Martin Docowra*, had a Lease of the Manor of *Ballfall*, in the County of *Warwick*, for a Term of certain Years, an Injunction came to him out of the Chancery, by Writ, upon Pain of One Thousand Pounds, that he should avoid the Possession of the same Manor, and suffer *Sir George Throgmorton*, Knt. to take the Profits of the same Manor, to the Time the Matter depending in the Chancery between the Lord of *St. Johns*, and the said *Docowra*, were discussed; and yet the said *Docowra* never made Answer in the Chancery, nor ever was called into the Chancery for that Matter. And now of late he hath received the like Injunction, upon Pain of Two Thousand Pounds, contrary to the Course of the Common Law.

King Henry VIII.

‘ XLIII. Also, whereas in the Parliament Chamber, and in open Parliament, Communication and Devices were had and moved, wherein mention was, by an Incident, made of Matters touching Heresies, and erroneous Sects, it was spoken, and reported by one Bishop there being present, and confirmed by a good Number of the same Bishops in presence of all the Lords Spiritual and Temporal, then assembled, that two of the said Bishops were minded and desired to repair unto the University of *Cambridge*, for Examination, Reformation, and Correction of such Errors as then seemed, and were reported to reign amongst the Students and Scholars of the same, as well touching the *Lutheran* Sect and Opinions, as otherwise; the Lord Cardinal informed of the good Minds and Intents of the said two Bishops in that Behalf, expressly inhibited and commanded them in no wise so to do. By Means whereof the same Errors (as they affirmed) crept more Abroad, and took greater Place; saying furthermore, that it was not in their Defaults that the said Heresies were not punished, but in the said Lord Cardinal; and that it was no Reason any Blame, or Lack should be arrested unto them for his Offence. Whereby it evidently appeareth, that the said Lord Cardinal, besides all other heinous Offences, hath been the Impeacher and Disturber of due and direct Correction of Heresies; being highly to the Danger, and Peril of the whole Body, and good Christian People of this your Realm.’

‘ XLIV. Finally, for as much as by the foresaid Articles is evidently declared to your most Royal Majesty, that the Lord Cardinal by his outrageous Pride hath greatly shadowed a long Season your Grace’s Honour, which is most highly to be regarded, and by his insatiable Avarice and ravenous Appetite to have Riches and Treasure without Measure, hath so grievously oppressed your poor Subjects, with so manifold Crafts of Bribery and Extortion, that the Common-Wealth of this your Grace’s Realm is thereby greatly decayed, and impoverished: And also by his Cruelty, Iniquity, Affection, and Partiality

ality hath subverted the due Course and Order of your Grace's Laws, to the undoing of a great Number of your loving People.' King Henry VIII.

'Please it your Royal Majesty therefore, of your excellent Goodness towards the Weale of this your Realm, and Subjects of the same, to set such Order and Direction upon the said Lord Cardinal, as may be to the terrible Example of others to beware so to offend your Grace, and your Laws hereafter. And that he be so provided for, that he never have any Power, Jurisdiction or Authority, hereafter to trouble, vex, and impoverish the Common-Wealth of this your Realm, as he hath done heretofore, to the great Hurt and Damage of every Man almost, high and low. Which for your Grace so doing, will daily pray, as their Duty is, to Almighty God, for the prosperous Estate of your most Royal Majesty long to indure in Honour, and good Health, to the Pleasure of God, and your Hearts most Desire.

Subscribed the 1st Day of *December* the twenty-first Year of the Reign of our Sovereign Lord King *Henry VIII.*

T. More, (a)

T. Norfolk,

Char. Suffolke,

Tho. Dorset,

H. Exeter,

G. Shrewsbury,

R. Fitzwalter,

Jo. Oxynford,

H. Northumberland,

T. D'Arcy,

T. Rochford,

W. Mountjoy,

Will. Sandys,

Will. Fitzwilliam,

Henry Guldeford,

(b) { *Anthony Fitzberbert,*
John Fitz-James.

It appears by the Names of the Lords who sign'd these Articles, that they were drawn up by a Committee, appointed for that Purpose. And being read and agreed to by the whole House, they were first presented to the King, and then a Copy of them was sent down to the Lower House, for their Perusal and Approbation. But, amongst the Commons, the Cardinal's Cause was so well defended by his

(a) Lord Chancellor

(b) These last were the two Lord Chief Justices at that Time.
DUGDALE'S Summons, 21. H. VIII.

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King Henry VIII. his Secretary, *Cromwell*, then a Member (c), that he absolutely cleared his Master from any Charge of Treason, and he was fully acquitted thereof. From Cardinal Wolsey this honest Beginning, says Lord *Herbert*, *Thomas Cromwell* dated his future Reputation.

Cardinal Wolsey
acquitted.

A late Historian (d) remarks, 'That though the Attorney General, *Hales*, had accused the Cardinal, in the *Star-Chamber*, of breaking the Statute of *Præmunire*, and exercising his Office of Legate a Latere, without the King's Licence; yet, in the Articles above, exhibited in the House of Lords against him, there was no such Thing. Because, adds he, it would have been contrary to Equity to accuse the Cardinal of exercising the Authority of a Legate, without the King's Permission, when the King was known to consent to it; tho' not in the Manner prescribed by the Law.' But though the Cardinal escaped this Blow, he never was re-instated again in the King's Favour. And, as his bitter Enemies took all Opportunities to destroy him, they at length prevailed upon the King to cause him to be arrested, at his Castle of *Cawood*, and brought up to *London*, for another Trial. But a superior Summons, to a much higher Tribunal, took him at *Leicester*; where he died, Nov. 27, 1530, with these remarkable Words in his Mouth; *If I had served my God with half the Zeal that I have served my King, he would not in my Grey Hairs have thus forsaken me!*

His Death.

Before the Cardinal died, the Pope's Supremacy in *England* began to lose Ground; and *Clement VII.* having absolutely denied to confirm the Divorce, *Henry*, in his Turn, resolved to inquire what Authority the Pope had in his Dominions. And, as it seems to us, the same Parliament that made the above Stroke at Cardinal *Wolsey*, carried it still farther against the Papal Authority. *Luther's Doctrine* was now secretly admitted into many Places of

Luther's Doc-
trine gains
Ground.

(c) Bishop *Godwyn* writes, that the Cardinal had purposely got him elected a Member of the lower House, in order to defend him.

Annals of Henry VIII. &c.

(d) *Rapin's Hist. of England*, Vol. I. p. 786.

of the Kingdom, with much Approbation ; and King Henry VIII. gave such Impressions, that even the most ignorant began to examine, whether the Errors then ordinarily controverted, did belong to the Doctrine, or to the Government of the Church. And this alone, says Lord *Herbert*, as it was the first Step, so was it a great and bold Sally towards that *Reformation* which afterwards followed.

Many Abuses which the Laity received daily from the Clergy were loudly complained of ; and the King, being now willing that they should be strictly enquired into, referred the Redress thereof to the Commons in this Parliament. Complaints also being made in that House (e), against Exactions for Probats of Testimonies and Mortuaries ; for Pluralities, Non-residence, and against Priests that were Farmers of Lands, Tanners, Wool-buyers, &c. the Spirituality were much offended at these Proceedings ; and when the Bills for regulating these Exorbitances, were brought before the House of Lords, *John Fisher*, Bishop of *Rocheſter*, made a remarkable Speech against them. As the Design of these Inquiries is to preserve an exact Impartiality, we shall give this Speech *verbatim* ; as it is printed in a small Treatise on the Life and Death of that Prelate (f).

Bills for reforming the Abuses of the Clergy.

My Lords,

* Here are certain Bills exhibited against the Clergy, wherein there are Complaints made against the Viciousness, Idleness, Rapacity, and Cruelty of Bishops, Abbots, Priests, and their Officials. But, my Lords, are all vicious, all idle, all ravenous and cruel Priests, or Bishops ? And, for such as are such, are there not Laws provided already against such ? Is there any Abuse that we do not seek to rectify ? Or, can there be such a Rectification as that there shall be no Abuses ? Or, are not Clergymen to rectify the

Bishop Fisher's Speech against them.

(e) These Complaints were drawn up into six Articles, and are in Fox's *Acts and Monuments*, Vol. II. p. 907. Edit. 1595.

(f) *The Life and Death of John Fisher, Bishop of Rocheſter, &c.* By Dr Thomas Bailey, 12mo. Lond. 1655. Reprinted Anno 1739.

King Henry VIII.

the Abuses of the Clergy? Or, shall Men find fault with other Men's Manners, while they forget their own; and punish where they have no Authority to correct? If we be not executive in our Laws let each Man suffer for his Delinquency; or, if we have not Power, aid us with your Assistance, and we shall give you Thanks. But, my Lords, I hear there is a Motion made, that the small Monasteries should be given up into the King's Hands, which makes me fear that it is not so much the Good as the Goods of the Church that is looked after. Truly, my Lords, how this may sound in your Ears I cannot tell, but to me it appears no otherwise, than as if our holy Mother the Church were to become a Bondmaid, and now brought into Servility and Thralldom; and by little and little to be quite banish'd out of those Dwelling-Places, which the Piety and Liberality of our Forefathers, as most bountiful Benefactors, have conferred upon her. Otherwise, to what tendeth these portentous and curious Petitions from the Commons? To no other Intent or Purpose, but to bring the Clergy in Contempt with the Laity, that they may seize their Patrimony. But, my Lords, beware of yourselves and your Country; beware of your Holy Mother the Catholick Church; the People are subject to Novelties, and *Lutheranism* spreads itself amongst us. Remember *Germany* and *Bohemia*, what Miseries are befallen them already, and let our Neighbours Houses that are now on Fire teach us to beware of our own Disasters. Wherefore, my Lords, I will tell you plainly what I think; that, except ye resist manfully, by your Authorities, this violent Heap of Mischiefs offered by the Commons, you shall see all Obedience first drawn from the Clergy, and secondly from yourselves; and if you search into the true Causes of all these Mischiefs which reign amongst them, you shall find that they all arise *through Want of Faith.*

The same Authority tells us, that this Speech pleased

pleased or displeased several of the House of Lords, King Henry VIII. as they were diversly inclined to forward or flatter the King's Designs. But, amongst them all, none made a Reply to it but only the Duke of *Norfolk*, who said to the Bishop, 'My Lord of *Rocheſter*, 'many of these Words might have been well spared; but I wiſt it is often ſeen that the greateſt 'Clerks are not always the wiſeſt Men.' To which the Bishop reply'd, 'My Lord, I do not 'remember any Fools in my Time that ever prov'd 'great Clerks.'

When the Lower Houſe heard of this Speech, they conceived ſo great Indignation againſt the Biſhop, that they immediately ſent their Speaker, *Audley*, attended with a Number of the Members, to complain of it to the King; and to let his Maſteſty know, 'How grievouſly they thought themſelves 'injur'd thereby, for charging them with Lack of 'Faith, as if they had been Infidels or Hereticks,' &c. To ſatisfy the Commons, the King ſent for the Biſhop of *Rocheſter* to come before him; when being preſent, the King demanded of him, why he ſpoke in ſuch a Manner? The Prelate answered, 'That being in Parliament, he ſpoke his Mind 'freely in Defence of the Church, which he ſaw 'daily injur'd and oppreſſ'd by the common People, 'whoſe Office it was not to judge of her Manners, 'much leſs to reform them. And therefore, he 'ſaid, he thought himſelf in Conſcience bound to 'defend her, in all that lay within his Power.' However, the King adviſed him, 'To uſe his 'Words more temperately another Time.' Which was all he ſaid to him.

Which is reſent-
ed by the Com-
mons.

But the Injury the Commons thought they had received, by this Reflection, was not ſo eaſily digeſted; for, one of the Members making uſe of the Goſpel Doctrine ſo far, ſays the noble Hiſtorian, as to take a reaſonable Liberry to judge of Things; and, being piqu'd at the Biſhop for laying it al on *Want of Faith*, ſtood up in that Houſe and ſpoke to this Effect (g):

'If

(g) Lord Herbert's *Life of Henry the Eighth*, p. 295. It is Pity he hath

King Henry VIII.

*Mr Speaker,*A Speech upon
that Occasion.

' If none else but the Bishop of *Rochester* or his
 ' Adherents did hold this Language, it would less
 ' trouble me. But since so many religious and dif-
 ' ferent Sects, now conspicuous in the whole
 ' World, do not only vindicate unto themselves
 ' the Name of the true Church, but labour betwixt
 ' Invitations and Threats for nothing more than
 ' to make us resign our Faith to a simple Obedience;
 ' I shall crave Leave to propose, what I think fit
 ' in this Case for us Laiques and Secular Persons to
 ' do. Not that I will make my Opinion any Rule
 ' to others when any better Expedient shall be offer-
 ' ed, but that I would be glad we considered hereof,
 ' as the greatest Affair that doth or may concern us.
 ' For if in all human Actions it be hard to find
 ' that Medium or even Temper which may keep
 ' us from declining into Extreams, it will be much
 ' more difficult in religious Worship; both as the
 ' Path is supposed narrower, and the Precipices
 ' more dangerous on every Side. And because each
 ' Man is created by God a free Citizen of the
 ' World, and obliged to nothing so much as the
 ' Inquiry of those Means by which he may attain
 ' his everlasting Happiness, it will be fit to examine
 ' to whose Tuition and Conduct he commit himself.
 ' For as several Teachers, not only differing in
 ' Language, Habit, and Ceremony, or at least in
 ' some of these, but peremptory and opposite in their
 ' Doctrines, present themselves, much Circumspec-
 ' tion must be used. Here then taking his Prospect,
 ' he shall find these Guides directing him to several
 ' Ways, whereof the first yet extends no further
 ' than to the Laws and Religions of each Man's
 ' native Soil or Diocese, without passing those
 ' Bounds. The second, reaching much further,
 ' branches itself into that Diversity of Religions and
 ' Philosophies, that not only are, but have been
 ' extant

hath not left us the Name of this Speaker. *Hall* only says, he was
 a Gentleman of *Greys-Inn*; and, in the Debate, when ancient
 Custom was urg'd in Defence of the Clergy, he said, *The Usage hath*
ever been for Thieves to rob on Shooter's Hill: Ergo, Is it lawful?

Fol. 129.

extant in former Times, until he be able to deter-
 mine which is best. But in either of these, no
 no little Difficulties will occur. For, if each
 Man ought to be secure of all that is taught at
 home, without enquiring further, how can he
 answer his Conscience? When looking abroad,
 the Terrors of everlasting Damnation shall be
 denounced on him, by the several Hierarchies and
 visible Churches of the World, if he believe any
 Doctrine but theirs. And that, amongst these
 again, such able and understanding Persons may
 be found, as in all other Affairs will equal his
 Teachers. Will it be fit that he believe, God hath
 inspir'd his own Church and Religion only, and
 deserted the rest; when yet Mankind is so much
 of one Offspring, that it hath not only the same
Pater Communis in God, but is come all from the
 same carnal Ancestors? Shall each Man, without
 more Examination, believe his Priests in what
 Religion soever; and when he hath done, call
 their Doctrine his Faith? On the other Side, if
 he must argue Controversies before he can be sa-
 tisfied, how much Leisure must he obtain? How
 much Wealth and Substance must he consume?
 How many Languages must he learn? And how
 many Authors must he read? How many Ages
 must he look into? How many Faiths must he
 examine? How many Expositions must he con-
 fer, and how many Contradictions reconcile?
 How many Countries must he wander into, and
 how many Dangers must he run? Briefly, would
 not our Life on these Terms be a perpetual Pe-
 regrination; while each Man posted into the
 others Country to learn the Way to Heaven,
 without yet that he could say at last he had
 known or try'd all? What remains then to be
 done? Must he take all that each Priest, upon
 Pretence of Inspiration, would teach him, be-
 cause it might be so; or, may he leave all because it
 might be otherwis? Certainly, to embrace all Re-
 gions, according to their various and repugnant
 Rites, Tenets, Traditions and Faiths, is impos-
 sible,

King Henry VIII.

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King Henry VIII. fible, when yet in one Age it were not poffible, after incredible Pains and Expences, to learn out and number them. On the other Side, to reject all Religions indifferently is as impious, there being no Nation that in fome Kind or other doth not worship God; fo that there will be a Neceffity to diftinguifh. Not yet that any Man will be able, upon Comparifon, to difcern which is the perfeftest, among the many proteffed in the whole World; each of them being of that large Extent, that no Man's Understanding will ferve to comprehend it in its uttermoft Latitude and Signification. But, at leaft, that every Man might vindicate and fever in his particular Religion, the more effential and demonftrative Parts from the reft, without being mov'd fo much at the Threats and Promifes of any other Religion that would make him obnoxious, as to depart from this Way: There being no ordinary Method fo intelligible, ready, and compendious, for conducting each Man to his defir'd End. Having thus therefore recollected himfelf, and together implor'd the Affiftance of that Supreme God whom all Nations acknowledge, he muft labour in the next Place, to find out what inward Means his Providence hath deliver'd, to difcern the true not only from the false, but even from the likely and poffible; each of them requiring a peculiar Scrutiny and Confideration. Neither fhall he fly thus to particular Reason, which may foon lead him to Herefy; but after a due Separation of the more doubtful and controverted Parts, fhall hold himfelf to common, authentick, and univerfal Truths, and confequently inform himfelf, what in the feveral Articles propofed to him is fo taught, as it is firft written in the Heart, and together deliver'd in all the Laws and Religions he can hear of in the whole World: This certainly can never deceive him; fince therein he fhall find out how far the Impreffions of God's Wifdom and Goodnefs are extant in all Mankind, and to what Degrees his univerfal Providence hath dilated itfelf; while thus afcending

‘ to God by the same Steps he descends to us, he King Henry VIII.
 ‘ cannot fail to encounter the Divine Majesty.
 ‘ Neither ought it to trouble him if he find these
 ‘ Truths variously complicated with Difficulties or
 ‘ Errors; since, without insisting on more Points
 ‘ than what are clearly agreed on every Side, it
 ‘ will be his Part to reduce them into Method and
 ‘ Order; which also is not hard, they being but
 ‘ few, and apt for Connection: So that it will
 ‘ concern our several Teachers to imitate us in
 ‘ this Doctrine, before they come to any particu-
 ‘ lar Direction; lest otherwise they do like those
 ‘ who would persuade us to renounce Day-light
 ‘ to study only by their Candle. It will be worth
 ‘ the Labour, assuredly, to enquire how far these
 ‘ universal Notions will guide us, before we commit
 ‘ ourselves to any of their abstruse and scholastick
 ‘ Mysteries, or supernatural and private Revelations.
 ‘ Not yet but that they also may challenge a just
 ‘ Place in our Belief, when they are deliver’d upon
 ‘ warrantable Testimony; but that they cannot
 ‘ be understood as so indifferent and infallible Prin-
 ‘ ciples for the Instruction of all Mankind.

‘ Thus, among many supposed inferior and questi-
 ‘ onable Deities, worshiped in the four Quarters of
 ‘ the World, we shall find one Chief so taught us,
 ‘ as above others to be highly revered.’

‘ Among many Rites, Ceremonies, Volumes,
 ‘ &c. deliver’d us as Instruments or Parts of his
 ‘ Worship, he shall find Virtue so eminent, as it
 ‘ alone concludes and sums up the rest. Inasmuch
 ‘ as there is no Sacrament which is not finally re-
 ‘ solv’d into it; good Life, Charity, Faith in and
 ‘ Love of God, being such necessary and essential
 ‘ Parts of Religion, that all the rest are finally clos’d
 ‘ and determin’d in them.’

‘ Among the many Expiations, Lustrations, and
 ‘ Propitiations for our Sins, taught in the several
 ‘ Quarters of the World in sundry Times, we shall
 ‘ find that none doth avail without hearty Sorrow
 ‘ for our Sins, and a true Repentance towards God,
 ‘ whom we have offended.’

‘ And

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‘ And lastly, amidst the divers Places and Man-
 ‘ ners of Reward and Punishment, which former
 ‘ Ages have deliver’d, we shall find God’s Justice
 ‘ and Mercy not so limited, but that he can extend
 ‘ either of them even beyond Death, and conse-
 ‘ quently recompence or chastise eternally. These
 ‘ therefore, as universal and undoubted Truths,
 ‘ should in my Opinion be first receiv’d; they will
 ‘ at least keep us from Impiety and Atheism, and
 ‘ together lay a Foundation for God’s Service and
 ‘ the Hope of a better Life. Besides, it will reduce
 ‘ Mens Minds from uncertain and controverted
 ‘ Points to a solid Practice of Virtue; or when we
 ‘ fall from it, to an unfeigned Repentance and
 ‘ Purpose through God’s Grace to amend our sinful
 ‘ Life; without making Pardon so easy, cheap or
 ‘ mercenary as some of them do. Lastly, it will
 ‘ dispose us to a general Concord and Peace; for
 ‘ when we are agreed concerning these eternal
 ‘ Causes and Means of our Salvation, why should
 ‘ we so much differ for the rest? Since as these
 ‘ Principles exclude nothing of Faith or Tradition,
 ‘ in what Age or Manner soever it interven’d;
 ‘ each Nation may be permitted the Belief of any
 ‘ pious Miracle that conduceth to God’s Glory;
 ‘ without that, on this Occasion, we need to scan-
 ‘ dalize or offend each other. The common Truths
 ‘ in Religion, formerly mentioned, being firmer
 ‘ Bonds of Unity, than that any Thing emergent
 ‘ out of Traditions, whether written or unwritten,
 ‘ should dissolve them. Let us therefore establish
 ‘ and fix these Catholick or universal Notions;
 ‘ they will not hinder us to believe whatsoever
 ‘ else is faithfully taught upon the Authority of the
 ‘ Church. So that whether the Eastern, Western,
 ‘ Northern, or Southern Teachers, &c. and par-
 ‘ ticularly whether my Lord of *Rochester*, *Luther*,
 ‘ *Eccius*, *Zuinglius*, *Erasmus*, *Melancthon*, &c.
 ‘ be in the Right, we Laicks may so build upon
 ‘ these Catholick and infallible Grounds of Religion,
 ‘ as whatsoever Superstructures of Faith be rais’d,
 ‘ these Foundations yet may support them.’

This

This Speech was differently taken, also, by those ^{King Henry VIII.} who were still Friends, or Enemies, to the Church of *Rome*. However, the Majority being of the ^{Reformation in Religion set on} latter Opinion, a Reformation in Religion was resolved upon, as far as was consistent with the established Laws of the Kingdom. These Things, says *Hall*, against the Power of the Clergy, before this Time, durst not be attempted, or even talked of; unless a Man would run the hazard of being judged an Heretick, and lose all that he had. For, as the Bishops were always Chancellors, and had the sole Rule about the King, no Man durst presume to attempt any Thing contrary to their Wills and Advantage. But now an Act was made to settle the Fees for Probats of Wills, and for Mortuaries. Moreover, Spiritual Persons were abridged from taking of Farms, and from Pluralities of Livings, unless they were qualified by certain University Degrees, or by the Nobility, to whom a competent Number of Chaplains were assigned. Non-residence, also, then very usual, was forbidden, except in some Cases; the rest explained and interpreted (*h*).

Acts passed in
pursuance thereof.

But here was another Bill passed in this Parliament, which, because of its singular Nature and that it is not printed with the other Statutes, Bishop *Burnet* hath thought fit to publish in the *Collection of Records*, at the End of his first Volume of the *Reformation* (*i*). The Bill bears, in its Preamble, the highest Flattery that could be put in Paper, of the great Things the King had done for the Church and Nation, in which he had been at vast Expences: That divers of his Subjects had lent great Sums of Money, which had been all well employed in the Publick Service; and whereas the Lenders had Security for the Payment, the Parliament did offer all these Sums, so lent to the King, and discharged him of all the Obligations or Assignments made for

Vol. III. E their

(*h*) See *Statutes at Large*, 21 Henry VIII.

(*i*) *Burnet's History of the Reformation*, in the *Appendix*, No. 31. Also, *Vol. I. Pag. 83.*

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King Henry VIII. their Payment, and of all Suits that might arise thereupon.

An Act pass'd to discharge the King from certain Debts without paying his Creditors.

Hall says, that most Part of the House of Commons were the King's Servants, by whom the Bill was brought in. These Courtiers, in their Debates, enlarged much 'on the Wealth and Peace of the Nation, notwithstanding the Wars; the King 'always making his Enemy's Country the Scene of 'them. They said that for fourteen Years the 'King had but one Subsidy from his People; and 'that now he asked nothing for any other Purpose 'than only to be discharged from a Debt, contracted for the Publick; by the Accounts of which, 'there shewed, they might see to what Uses the 'Money, so raised, had been applied.'

Bishop *Burnet* observes, that there were several Ends in passing this Bill. The Courtiers did not only intend to deliver the King from a Charge by it, but also to ruin all the Cardinal's Friends and Creatures, whom he had caused every where to advance great Sums, on this account, for an Example to others. Many in the House were convinced that the Act was unjust in itself, yet did easily give way to it, that they might effectually, for the future, discredit that Way of raising Money by Loans; judging it the publick Interest of the Kingdom, to have no Money raised but by Parliament. But *Hall* writes expressly, that there was much underhand Dealing practised, to get this Bill passed, which gave much Discontent to the poor Sufferers, and occasioned great Murmuring in others. To qualify this rough Proceeding, the King thought fit to grant a free and absolute Pardon to his Subjects for all Offences, some capital ones excepted, as is usual in such Cases. And, to keep the Clergy still under the Rod, all Transgressions against the Statute of *Præmunire*, &c. were excepted, which fell upon them severely afterwards. There are two other remarkable Exceptions in the Act; the one is, for those that pull, or dig down Crosses in the High-roads, to have no Benefit of this Pardon; the other, is on the Prosecution of Cardinal *Wolsey*, and the Forfeitures that came

An Act for a free Pardon.

came thereby to the King, viz. the Cardinal's College in *Oxford*, with the Lands belonging to it, which are excepted; upon which the Dean and Canons resigned their Lands to the King, but he founded the College a-new soon after. All this, says Bishop *Burnet*, was done, both to keep the Clergy quiet, and to engage them to use their Interest with the Pope, to dispose him to favour the King more in the great Affair of the Divorce.

The Author of the Life of Bishop *Fisher* has thrown in here an invidious Insinuation, that an Account was given in this Parliament of the Sum of 100,000*l.* Charges, which the King had been at in obtaining so many Instruments from Foreign Universities concerning the Business of the Divorce. These were all exhibited in the next Parliament, and it was farther urged that the King had been at these Expences through the Falshood and Dissimulation of the Cardinal, and certain others of the chief of the Clergy; for which it was demanded that the whole Body of them should make it good to the King. When this Matter was propounded in Convocation, Bishop *Fisher* opposed it, and said unto the King's Orators, 'That it was not their Faults, as they were there the Body representative of the Clergy, that the King had been at any Charges at all concerning that Business. For, to his Knowledge, the Clergy were generally against it, that any such Matter should at all be brought in Question; and that if any such faulty Persons were amongst them, it was fit they should be questioned and compelled to give his Majesty Satisfaction.' Whereupon, says our Authority, they all flatly denied to make Restitution, on any such Score. This served as a *Praeludium* to the Winds of the ensuing Tempest.

The Clergy required to pay the aforesaid Debt.

We have given the foregoing Account of this Session of Parliament, chiefly from *Hall's Chronicle*, Lord *Herbert's History*, and Bishop *Fisher's Life*, having no other Authority to go by; and must continue to do so, till the *Journals* begin again.

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King Henry VIII.

It is plain, by these Writers and others, that the Affair of the Divorce and the new Reformation went on together; the one, as a spiritual Business, was confined to the Sentence and Determination of the Ecclesiastical Courts; but the latter came before Lay-Judges, and was chiefly the Resolution of the King, his Temporal Lords and House of Commons. Bishop *Burnet* observes (*k*), that there had been great Industry used in managing Elections for this Parliament; and they were so successful in returning such Members as the King wanted, that he was resolved to continue them, till they had done his Work; both in the Affair of the *Divorce*, and the Business of the *Reformation*. Some of the Spirituality, also, ran on with the Stream, not knowing then, we dare say, where it would carry them; a plain Instance of this is their joining with the Temporal Lords and Commons, in a Letter or Declaration to the Pope, under their Hands and Seals, concerning Abuses in the Church. It was the first Thing, we find, that that they went upon, at their next Meeting in Parliament, which happened according to Prorogation, *July 30, 1530*. The Letter itself, as taken from the Records, is preserved by Lord *Herbert*, with the Pope's Answer to it in the original Language. Bishop *Kennet*, in his Edition of that Book, hath given us the following Translation of them.

Anno Regni 21.
1530.
At Westminster.

A Letter from
the Parliament
to the Pope in
favour of Queen
Catherine's Di-
vorce.

‘ **T**O the most holy Lord, our Lord and Father
‘ in *Christ, Clement*, by the Divine Provi-
‘ dence, the seventh Pope of that Name, we wish
‘ and pray for perpetual Felicity in our Lord *Jesus*
‘ *Christ*, with all Humility, throwing ourselves at
‘ his Feet. Most blessed Father, although the
‘ Cause concerning the Marriage of the most invin-
‘ cible Prince our Sovereign Lord the King of *Eng-*
‘ *land and France*, Defender of the Faith, and Lord
‘ of *Ireland*, does for sundry, great, and weighty
‘ Reasons of itself, require and demand your Ho-
‘ linefs's Assistance, that it may be brought to that
‘ speedy

speedy End and Determination, which we with
 so great and earnest Desires have wish'd; and King Henry VIII.
 with so very great, though very vain Expectations,
 have long look'd for from your Holiness: We
 could not nevertheless prevail with ourselves to
 keep Silence herein any longer, especially since
 our Kingdom and the Affairs thereof suffer so
 much, and are brought into so great Danger
 through the unseasonable Delay of Sentence
 herein: So that since his Majesty, our Head, and
 by consequence the Life of us all, and we in his
 Words, as Subject-Members, by a just Union an-
 nexed to the Head, have with great Earnestness
 prayed your Holiness, but pray'd in vain, we are
 by the Greatness of our Grief, forced separately
 and distinctly by these our Letters, most humbly
 to intreat your speedy Determination hereof. The
 Justice of the Cause itself, approved of by the
 Opinions of the most learned Men every where,
 and determined by the Decrees of the most fa-
 mous Universities in the World, and esteem'd and
 judg'd most righteous by all Persons either in *Eng-
 land, France or Italy*, who are most eminent for
 their Learning, might so far prevail, as that your
 Holiness, though no Body intreated it, nay,
 though some oppos'd it, should with your own
 Voice and Authority, confirm that Sentence which
 has so universally been pronounced just; especially
 when your Determination of this Cause is a
 Piece of Justice done to that King and Kingdom,
 which upon so many several Accounts have de-
 serv'd well of the Apostolical See. Although
 Intreaties to you herein seem not to be necessary,
 however we make them, as Persons overborn
 with Troubles, who indulge their Grief, and fre-
 quently pour forth repeated and unnecessary
 Prayers: But since your Holiness is not to be
 prevail'd upon, either by the Justice of the Cause,
 the Remembrance of the good Services you have
 always found, or by the earnest and continued
 Requests of the best of Princes, to do that which
 might be expected from your paternal Love and
 Affection

King Henry VIII. Affection alone, our Grief is by the Remembrance
 of our Miseries and Calamities increas'd to that
 immense Degree, that it overspreads the whole
 Body of the Realm, and gives a Voice of Com-
 plaint to each Member of it, forcing them both by
 their Words, and in their Letters, to lay before
 your Holiness, this their insupportable Grievance.
 For how great a Misfortune is it, that what our
 own two Universities, the University of *Paris*,
 as well as many others in *France*, what almost all
 Men of Learning, Knowledge and Integrity,
 both at home and abroad have determin'd and af-
 firm'd to be true, and the Truth of which they
 are ready to defend and support both in their
 Discourses and Writings; yet cannot a Confir-
 mation of this so universally acknowledged Truth,
 be obtain'd from the Holy Apostolical See by that
 Prince, by whose Support and Assistance that See
 still keeps and preserves its Authority, which has
 been shaken and undermined by so many, and
 so powerful Adversaries; till he withstood and
 oppos'd their Designs partly by his Sword, partly
 by his Pen, at other Times by his Commands
 and Authority, supporting that Power and Au-
 thority of the Church from whence others are
 enabled to obtain those mighty Advantages from
 which he now finds himself only excluded. What
 Answer can be made hereto we see not; and
 yet we see that from hence a Flood of Miseries
 is flowing in upon the Commonwealth, and a
 sort of Deluge of Calamities overwhelming us,
 from the Disputes about Succession; which will
 soon overtake us, never to be settled without in-
 finite Slaughter and Effusion of Blood. We now
 have a King most eminent for his Virtues, seated
 upon the Throne of his Ancestors, by Right un-
 doubted and unquestionable, who would entail
 lasting Peace and uninterrupted Tranquillity on
 his Realms, if he leaves a Son to succeed him
 from lawful and true Marriage; nor will that be
 possible, unless your Holiness will by your Autho-
 rity, pronounce the same Sentence concerning his
 former

former Marriage, which so many learned Men
 have already deliver'd. But if your Holiness,
 whom we justly call our Father, shall, by refus-
 ing to comply herein, esteem us as Cast-a-ways,
 and resolve to leave us Orphans, we can make
 no other Construction of it, but that the Care
 of our selves is committed to our own Hands,
 and that we are left to seek our Remedy else-
 where. But that we may never be driven to
 these Extremities, we beg your Holiness without
 Delay, or farther Loss of Time, to assist these
 his Majesty's most just and reasonable Desires; we
 most earnestly intreat a Confirmation of the
 Judgment of these most learned Men, humbly
 imploring, that for the Sake of that mutual Love,
 and that paternal Affection which your pastoral
 Office requires you to shew us, not to shut up your
 Bowels of Pity and Compassion against us, your
 most dutiful, most loving, most obedient Sons.
 The Case of his most sacred Majesty is the
 Case of us all; since the Head cannot suffer, but
 the Members must bear a Part; the Grief arising
 herefrom, and the Injury suffer'd hereby, does
 equally affect us, who bear our Proportion of all
 his Majesty's Afflictions; the Remedy of which,
 as it must proceed wholly from your Holiness's
 Power, so is it a Duty necessarily arising from
 your paternal Authority and Affection: Which
 Remedy, if your Holiness shall refuse or delay to
 grant, our Condition will indeed herein be more
 miserable, that so long we have fruitlessly and in
 vain sought Redress, but it will not be wholly
 desperate, since it is possible to find Relief some
 other way. Desperate Remedies indeed are not
 without Extremity to be applied; but he that is
 sick will by any means get rid of his Distemper:
 In the Change of our Miseries there is some
 Comfort, when if we can't obtain perfect Relief,
 yet we may change our Condition for that which
 is less afflicting, and more tolerable. That your
 Holiness would be pleas'd to take these Things
 into your most serious Consideration, we do a-
 gain

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King Henry VIII. 'gain and again beseech you for our Lord *Jesus Christ's* Sake, whose Vicar on Earth you stile yourself; and that you would now conform your Actions to that Title, by pronouncing your Sentence to the Glory and Praise of God, and thereby giving your Testimony and Sanction to that Truth, which has been examin'd, approv'd, and after much Deliberation confirm'd by the most learned Men of all Nations. In the mean time we will beseech God, whom we infallibly know to be Truth, that he would vouchsafe so to inform and direct your Holiness's Deliberations herein, that having by your Holiness's Authority a Confirmation of what is just, righteous and true, we may therein rest satisfy'd, and be free from the Trouble of seeking to attain this End by other Means.'

Names of the
Members who
signed it.

1. Archbishops.

Thomas Cardinal of York.
William of Canterbury.

2. Dukes.

Thomas of Norfolk.
Charles of Suffolk.

3. Marquesses.

T. of Dorset.
H. of Exeter.

4 Earls.

William of Arundel.
Jo. of Oxford.
H. of Northumberland.
Ralph of Westmoreland.
George of Shrewsbury.
Henry of Essex.
Edward of Derby.
H. of Worcester.
Thomas of Rutland.
Henry of Cumberland.
Robert of Sussex.
George of Huntington.
G. of Kildare.

5. Bishops.

Robert of Cirencester.
John of Carlisle.
John of Lincoln.
Richard of St. David's.

6. Barons.

Henry Montague.
G. Rochford.
William Weston.
E. Abergavenny.
J. Audley.
Henry Scrope.
Thomas Dacres.
Thomas La-Ware.
William Dacre.
Thomas Barkley.
Henry Morley.
George Cobham.
Richard Latimer.
Edward Stourton.
Jo. Fitzwarren.
Jo. Semers.
Jo. Lumley.

Williams

William Mountjoy.
Christopher Conyers.
Henry Daubeney.
T. Darcy.
T. Monteagle.
William Sandys.
Jo. Hussey.
Andrew Windsor.

7. Abbots.
Jo. of Westminster.
Jo. of Bury St. Edmund.
Richard of Glastonbury
William of Gloucester
Thomas of Abingdon
Hugh of Reading
Edward of York
Jo. of Peterborough.
Jo. of Ramsey.
Jo. of Croyland.
Ro. of Thorney
Ro. of Selby.
William of Bardney
William of St. Bennet de
Hulme.

Thomas of St. John by King Henry VIII.
Colchester.
Jo. of Hyde.
Clement of Evesham.
Richard of Malmesbury.
Richard of Winchelcomb
Robert of St. Crux of
Waltham.
Jo. of Cirencester.
Henry of Tewksbury.

8. Knights and Doctor^s
 in Parliament.
William Fitzwilliams.
Henry Guildford.
Stephen Gardiner.
Jo. Gage.
William Kingston.
Bryan Tuke.
Richard Sacheverell.
Richard Sampson.
Edward Lee.
Richard Woolman.
Jo. Bettat.

To which *Clement* returned this Answer.

To our Venerable Brethren the Archbishops and Bishops,
and to our beloved Sons the Abbots, Noblemen,
Dukes, Marquesses, Earls, Barons, Knights and
Doctors assembled together in Parliament, in
England.

CLEMENT VII. Pope.

* **V**enerable Brothers and beloved Sons, Health The Pope's An-
 * be to you, and Apostolical Benediction. swer.
 * There are many Expressions in your Letter,
 * bearing Date *July 13*, which we receiv'd some
 * Days ago, which we could not have thought
 * well of, did we not wholly impute them to the
 * great Duty and tender Affection which you bear
 * 10

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King Henry VIII. ' to our most dear Son in *Christ* your King. We
 ' shall therefore, without taking those Things a-
 ' mifs, sedately answer your Letter, that you may
 ' thereby learn with how little Reason you have
 ' complained of us, and that your private Duty
 ' and Affection to your King, ought not to extend
 ' so far, as to to justify your accusing us of two
 ' grievous Offences, Ingratitude to his Highness,
 ' and Denial of Justice. We do acknowledge that
 ' your King has deserv'd all that your Letter men-
 ' tions; nay, even much more, that the Remem-
 ' brance of his many meritorious Actions towards
 ' the Apostolical See, will not only live fresh in
 ' our Memories, but be transmitted down to latest
 ' Posterity. We can't but own likewise, that not
 ' only with respect to our Office and Character in
 ' the Church, but also in our own private Person,
 ' we owe so much to his Highness's Affection, as
 ' we shall scarce ever be able to recompence. As
 ' to what relates to the Controversy concerning the
 ' Marriage between his Highness and Queen *Cathe-
 ' rine*, we have been so far from disappointing the
 ' King's Expectation therein by denying him Jus-
 ' tice, that we have even laid under the Censure
 ' of the other Party, and have been thought par-
 ' tial, and too much inclined to favour his Ma-
 ' jesty's Desires herein. But to give you a more
 ' undeniable Proof of our constant Affection to
 ' your King, it will be necessary to mention what
 ' has some time since pass'd: When first, about
 ' three Years since, his Majesty's Ambassadors laid
 ' this Cause before us, rather seeking Redress here-
 ' in from our Affection and Kindness to his High-
 ' ness, than from the rigorous Course of Justice,
 ' we committed it to the Determination of our be-
 ' loved Sons *Thomas* Archbishop of *York* our Legate
 ' in *England*, Cardinal *Sanctæ Cæcilie*, and *Lau-
 ' rence Campejus*, Cardinal *Sanctæ Mariæ trans Tibe-
 ' rim* our Legate *de Latere*, who were both in
 ' your Kingdom, and upon the Spot to examine
 ' into the Matter; whereby, as far as we are able,
 ' we satisfied his Highness Desires. But when the
 ' Queen

Queen began to suspect them as partial Judges, King Henry VIII
and on the account of some Grievances she had
impos'd on her by the said Legates, had appeal'd
from them to the Apostolical Tribunal, and had
on her Part appointed Proctors to prosecute the
said Appeal at *Rome*, even then our great Inclination to his Majesty's Service was sufficiently
evidenced. For although we could not in this
Cause deny the Queen a Commission of Appeal,
yet seeking rather that this Controversy might be
finished by the agreeable Methods of Peace and
Concord, than by Course of Law, we fram'd
several Delays in granting our Commission of
Appeal in the said Cause, under pretence that
this being a Cause of the highest Nature, must
therefore be brought before the Consistory. After
this we held frequent Consultation with our
most venerable Brethren their Eminences the
Cardinals, whereby this Affair was still farther
put off; till at length by the unanimous Vote of
all the Cardinals it was concluded, that a Commission of Appeal in this Cause could not be refused. It was therefore appointed to be examin'd,
heard, and in the said Consistory by us to be finally
determin'd. For as in all Cases we ought to proceed with the greatest Caution, so ought we more
especially to do in that which concerns the Majesties of Kings and Queens, on which we see
the Eyes of all the Christian World plac'd. Since
which no lawful Proctor has appear'd on the
King's Part, to set forth his Majesty's Pretensions
either in Writing, or by Word of Mouth, from
whence it is that this Cause could not receive its
Determination. Since it must be decided according to what is alledg'd, and by Witnesses
prov'd; not according to Favour and Affection.
There is therefore no Reason why this Deferring
our Sentence of Determination, of which you
complain, should be ascrib'd to us; and your Complaint herein seems to us the more strange, because
his Majesty's Ambassadors in several Places, particularly at *Bononia*, did request and solicit this Delay

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King Henry VIII. ' lay of Sentence from us, contrary to the Inclina-
 ' tion and Demand of the Queen's Proctors herein.
 ' Since therefore we have no ways occasion'd those
 ' Delays, or hinder'd this Cause from being deter-
 ' min'd after mature Examination, and due Consi-
 ' deration of all the Circumstances of it, we see
 ' not on what Reasons these your Complaints are
 ' grounded; unless you will venture to say, that
 ' the Services which his Majesty has shewn us and
 ' the Apostolical See are such, that the Cause should
 ' be determin'd in his Favour, without Regard had
 ' either to Right or Justice; for that must be the
 ' Meaning of your Words, when you say that Sen-
 ' tence ought to be given by us, though no Body
 ' intreated it, nay, tho' some oppos'd it in this Case,
 ' which has been adjudg'd just by all the Learned in
 ' *England, France and Italy*, and by the Decrees of
 ' so many Universities: Which Words to us seem
 ' not to proceed from your usual Prudence and Mo-
 ' desty; since we see not with what Reason you
 ' can desire, that we should in a Cause of the great-
 ' est Moment give Sentence, though none intreated
 ' it, nay, tho' some oppos'd it; when on the other
 ' Side is alledg'd the great Scandal and Offence
 ' that all Christians would take, at a Sentence of
 ' Divorce from a Marriage which has continu'd so
 ' many Years, which was contracted by Dispensa-
 ' tion from the Holy See, at the Request of his
 ' most Excellent Majesty *Henry VII.* and the most
 ' Catholick King *Ferdinand*; from whence the
 ' Queen has had so many Children born, and still
 ' has a Daughter living; contrary to the Opinion
 ' of several Doctors (which you urge also on your
 ' Behalf) and those very learned and grave Men,
 ' and who confirm their Judgment both by the
 ' Laws of God, and by Arguments taken not only
 ' from the *Latins*, but likewise deriv'd from the
 ' *Jewish* Law: Notwithstanding all which we kept
 ' ourselves unbiass'd, inclined to favour neither Side,
 ' but to hear both, looking on this most extraordi-
 ' nary Cause, not only to concern the whole Chri-
 ' stian World, but also to belong to all Posterity.

' As

As for the Opinions of learned Men, and the Decrees of Universities, which you mention, few of them have come to our Notice, shewn us not in proper Form by your Ambassadors, nor in the Name of the King exhibited; and those were but bare Opinions of those Men, alledging no Reasons for their Determinations, nor supporting them by any Authority from Scripture, or the Canons, which herein ought only to prevail. Wherefore, to demand that we should rashly, and without due Consideration, determine any Thing herein in his Majesty's Favour, is a Thing neither righteous in itself, nor agreeable to your Wisdom. For although we owe much to his Highness, yet in executing Judgment we must necessarily much more regard him, by whom Kings reign, and Princes decree Justice; and further, it is the Duty of a good Father, to take care that by over Fondness he do not too much indulge his Children: Besides, we should not only entangle our own, but also his Highness's Conscience, by such an hasty and inconsiderate Sentence, which if thus unduly given, would by its dangerous Example, greatly damage the whole Christian World. As for that Deluge of Calamities, which you fear is impending over your Kingdom, sure it were much more to be fear'd, if we should rashly hasten that Sentence which ought calmly to proceed in the streight Way of Justice and Reason; thereby violating both our own Duty, and departing from the Rules of Justice through too great Favour and Affection to your King. You cannot with more earnest Desire wish his Majesty a Son, than we do, and that not only his Highness, but all Christian Princes had Sons like so great a King, the Inheriters not only of their Realms, but of such Princely Virtues; but we are not in the Stead of God, that we can give Children. As to what you say, that we are unwilling to confirm, by our Authority, a Truth concerning the former Marriage, which by so many learned Men in the Kingdom is agreed upon;

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King Henry VIII.

on ; we are truly willing to gratify his Highness
in all Things, wherein we are able by our Authority,
but then our Ability can't extend to those
Things which will destroy that Authority, as it
would if we should judicially give Sentence contrary
to the usual Methods and due Course of
Law in any Thing, tho' it might appear never
so plain and manifest to us. As for what you
mention in the End of your Letter, that unless
we grant your Request herein, you shall imagine
that the Care of your selves is remitted into your
own Hands, and that you are left at Liberty to
seek Remedy herein elsewhere ; this is a Resolution
neither worthy of your Prudence, nor becoming
your Christianity : And we do therefore
of our Fatherly Love, exhort you to abstain from
any such rash Attempt : Tho' it would be no
Fault of the Phyfician, if the Patient weary of
his Distemper, should rashly and unadvisedly venture
upon Measures destructive to his Health :
We indeed never deny'd you such Remedies as
might with Safety be given, and with Advantage
receiv'd ; for who is weak, and I am not weak ;
who is offended, and I burn not ? I write not
these Things to shame you, but as my beloved
Sons I warn you. We can't imagine that his
Majesty, on whose Account you write, can approve
your Writing in this manner ; for we know,
and are so fully acquainted with his Honour and
Integrity, that we are assur'd he would not accept
of any Thing that is unjust, although it were offered
him ; and although your Intercession is in
all Cases of great Power and Prevalence with us,
yet is our Love and Affection to his Highness
such, as to need neither the Intreaty nor Solicitation
of any Persons whatever to influence or
quicken it ; and as we never remember that his
Highness has ever yet made his Request to us,
and receiv'd a Denial, where it could be granted
with Safety to our own, and the Honour of the
Apostolical See ; so we shall always shew him
the same Regard and good Will. Lastly, As to
the

‘ the present Cause, we shall give no Hindrance King Henry VIII.
 ‘ or Delay to its Decision, so that when it is read-
 ‘ dy for Examination, and all the Circumstances
 ‘ of it have been heard, it shall be brought to a
 ‘ speedy Determination and final Conclusion; be-
 ‘ ing earnestly desirous to free your King and
 ‘ Queen, and our own selves from this most trou-
 ‘ blesome Affair. But this we must desire of his
 ‘ Highness, and of your Goodness, that you
 ‘ would not require more from us, by reason of
 ‘ his Majesty’s great Deservings of us, than we can
 ‘ without offending God perform; and then you
 ‘ may assure yourselves of all the good Offices
 ‘ which can be expected from us, considering the
 ‘ Person and Office we bear, and the Justice we
 ‘ are indispensibly bound to administer. *Given at*
 ‘ *St. Peter’s, Rome, under the Seal of the Fisherman,*
 ‘ *September 27th, 1530, in the seventh Year of our*
 ‘ *Pontificate.*

This Answer had very little Effect on the Minds Which the Par-
 of those who were, before, resolved to abrogate the liament take lit-
 Pope’s Supremacy in England, and strip the Church tle Notice of.
 of its overgrown Possessions.

We read of no other Business done at this Session Anno Regni 22.
 than the writing and sending the Letter to the Pope; 1531.
 and it was not till *January 1531*, that any Statutes At Westminster.
 were made for the general Good of the Nation.
 On the 6th of which Month being again assembled,
 the first Thing we find, was, that a Pardon for all
 Spiritual Persons, signed by the King’s own Hand,
 was sent to the Lords, who in a short Time after
 passed the Bill and sent it to the Commons. When Debate on the
 it was read in that House, many forward Persons, King’s Pardon.
 says *Hall*, would in no wise consent to vote for the
 Bill, unless that all Men might be included in the
 Pardon. Arguing, that every Man who had any
 Thing to do with the Cardinal, were in the same
 Case. To this it was answered, by the wiser Sort,
 That they would not compel the King to give
 them his Pardon; and besides, it was uncharitably
 done in them to seek to hurt the Clergy, and do
 themselves

King Henry VIII. themselves no Good. They rather advised the House to consent to the Bill, and afterwards to make Suit to the King for their Pardon. But this was not agreed to ; and it was resolv'd to send the Speaker to the King in the first Place, before they would pass the Bill. Accordingly Sir *Thomas Audley*, Speaker of the House of Commons, with a Number of Members along with him, waited on his Majesty, and eloquently declar'd to him, ' That his faithful Commons fore lamented and bewailed their Chance, in having Occasion to think or imagine themselves out of his Favour, because he had granted his most gracious Pardon to his Spiritual Subjects on the *Præmunire*, and not to them. Wherefore they most humbly besought his Majesty, out of his wonted Goodness and Clemency, to include them in the same Pardon.' The King, adds *Hall*, wisely answered, ' That he was their Prince and Sovereign Lord, and that they ought not to restrain him of his Liberty, nor to compel him to shew his Mercy ; for it was at his own Pleasure, either to use the Extremity of his Laws, or to mitigate and pardon the same. Wherefore, since they had denied to consent to the Pardon of the Spiritual Persons. which, he said, he might give without their Consent, under his Great Seal, he would be well advised before he pardoned them ; because, he would not have it look as if he was compell'd to do it.'

Upon this resolute Answer, the Commons, very pensive and melancholy, departed. Some of the Members attributed this Usage to *Thomas Cromwell*, who was just then taken into the King's Favour, and said, that he had disclosed the Secrets of the House. However, the King did not suffer them to continue long in their Sorrow ; for soon after, of his own Motion, a Pardon was drawn up and signed, which his Majesty sent to the Commons by *Christopher Hales*, Esq; his Attorney General, which was soon assented to by that House. The Commons returned their most humble Thanks ; And much praised his Majesty's Judgment, in
 ' that

‘ that he had denied a Pardon to them when they ^{King Henry VIII.}
 ‘ had unworthily demanded it, and had granted it
 ‘ when he perceived they were so sorrowful and pe-
 ‘ nitent.’

The forecited *Authority* further tells us, that on the 30th Day of *March*, the Lord Chancellor, and a Committee of twelve more spiritual and temporal Lords, went to the House of Commons, where the Lord Chancellor spoke to them to this Effect :

You of this worshipful House,

‘ I am sure you be not so ignorant but you know ^{The Lord Chan-}
 ‘ well that the Kyng our Sovereign Lorde hath ^{cellor communi-}
 ‘ married his Brother’s Wyfe; for she was both wed- ^{icates to the}
 ‘ ded and bedded with his Brother Prince *Arthur*, ^{Commons the}
 ‘ and therefore you may surely say that he hath ^{Proceedings on}
 ‘ married his Brother’s Wyfe, if this Mariage be good ^{the Divorce.}
 ‘ as so many Clerkes do doubt. Wherefore the
 ‘ Kyng, like a virtuous Prince, willing to be satisfi-
 ‘ ed in his Conscience, and also for the Suretie of
 ‘ his Realme, hath with great Deliberation consult-
 ‘ ed with great Clerkes; and hath sent my Lord of
 ‘ *London*, here present, to the cheife Universities of
 ‘ all *Christendome*, to know their Opinion and Judg-
 ‘ ment in that Behalf. And, although the Univer-
 ‘ sities of *Cambryge* and *Oxforde* had been sufficient
 ‘ to discusse the Cause, yet, because they be in his
 ‘ Realme, and to avoyde all Suspicion of Partiality,
 ‘ he hath sent into the Realme of *France*, *Italy*, the
 ‘ Pope’s Dominions, and *Venetians*, to know their
 ‘ Judgment in that Behalf; which have concluded,
 ‘ written, and sealed their Determinations, accord-
 ‘ yng as you shall heare red.’ Then Sir *Brian Tuke*
 took out of a Box twelve Writings sealed, and read them before the House as they were translated into the *English* Tongue.

Next follows, in *Hall*, the Judgment of the Foreign Universities; which were those of *Paris*, *Orleans*, *Anjou*, *Bruges*, *Bononia*, and *Padua*, at length (1). These are somewhat foreign to our

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Purpose,

(1) These Sentences, with some more from other Foreign Parts, may be seen, at length, in RYMER’S *Fœd. Ang.* Tom. XIV.

King Henry VIII. Purpose, we shall therefore content ourselves with observing, That the Question put to these learned Societies was, *Whether the Pope's Dispensation for a Brother's marrying a Brother's Wife, after Consummation with her former Husband, was valid or not?* Which, as the Question was stated, they all gave in the Negative.

These Determinations being all read in the House, there were produced above an hundred different Books, wrote by Foreign Civilians and Divines, against the Lawfulness of the Marriage. Which, says *Hall*, because the Day was far spent, were not read. Then the Chancellor again said, 'Now you of this Common House may reporte in your Countries, what you have seene and heard; and then all Men shall openly perceyve that the Kyng hath not attempted this Matter of Wyll or Pleasure, as some Straungers reporte, but only for the Discharge of his Conscience, and Suretie of the Succession of his Realme. This is the Cause of our Repayre hyther to you and now we wyl departe.'

Laws enacted.

In this Session the following Laws were enacted; 'That because much Wool was employed to Uses not so beneficial to the Kingdom, and sometimes transported by Strangers, it was decreed, that none should buy Wool in some principal Shires, to the Number of twenty-eight, but those who would make Cloth or Yarn thereof, and that Strangers should not buy any till the Purification of our Lady. But this being a Law that might likewise have its Inconveniency, was continu'd only for ten Years, as it had been in some former Kings Times.'

Also a Law was made against Exactions on Apprentices, by Masters, Wardens, &c. And this was beneficial for poor Men, who were not able to put their Children to learn Occupations without paying extraordinary Sums. A Remedy was also taken for repairing of decay'd Bridges and Highways, and the Manner of raising the Money, which before was uncertain, set down. The carrying over of Horses, Mares, and Geldings, also was forbidden upon

upon a Penalty, to all Places but *Calais*. More-
 over, Denizens, notwithstanding their Privileges, King Henry VIII.
 were order'd to pay such Customs as they paid be-
 fore. For which Purpose the Officers and Ministers
 of Cities and Boroughs, &c. where such Customs,
 &c. were due, were commanded to set up a Table
 in some open Place, containing the Particulars of
 them. Which Act yet was not extended to the
 Merchants of the Stillyard, call'd then *Teutonici*.
 Together with which it was provided, That the
 Tables touching Scavage to be set up at *London*,
 should be first viewed and examined by the Chancel-
 lor, and Treasurer in *England*, the President of the
 Council, the Lord Privy Seal and Lord Steward,
 and the two Chief Justices, or by four of them at
 least, and by them subscribed; and this was for pre-
 venting of the secret Exactions of Tolls, by May-
 ors, Sheriffs, &c. upon Wares to be sold within
 their Precincts. A Law was made also against
Egyptians, who under Pretence of telling Fortunes,
 got Money, and Credit among the more ignorant
 Sort. And whereas some penal Statutes were made
 heretofore against Strangers who were Handicrafts-
 men, it was declared, that the said Strangers being
 Bakers, Brewers, Surgeons, and Scriveners, were
 exempted, and not taken to be Handicrafts-men.
 And, because the Abuse of taking Sanctuary, and
 flying to hallowed Places, was great about this
 Time, insomuch that many Criminals finding Re-
 fuge and Protection in them, did there abjure the
 Realm, and so went into Foreign Parts; by which
 Means they discover'd the Secrets of the State, to
 the great Prejudice thereof: And whereas also,
 when they were to be tryed before the Judges in
 the Circuits, they would plead they were taken out
 of some Sanctuary or hallowed Place, and Justice
 thereby delay'd; divers good Orders were taken to
 remedy these Inconveniences. Which yet we men-
 tion not at large, because they, together with the
 Use of Sanctuaries, were at length wholly antiquat-
 ed and abolish'd.

Hall mentions another Act, That who so poison'd

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King Henry VIII. any Person, should be put into hot Water and boiled to Death. This Act was made, adds he, because one *Richard Roope*, in the Parliament Time, had poisoned divers Persons in the Bishop of *Rocheſter's* Palace, for which Fact he was boiled in *Smithfield*.

Anno Reſni 23,
1532. On the 15th of *January* 1532, the ſame Parliament ſat again; and, to ſhew what Effect the Pope's Answer to their Letter had had upon them, the firſt Thing they went upon in this fourth Seſſion, was to exhibit a Complaint in the Houſe of Commons, againſt the Clergy in regard to their *Ordinaries*; for calling Men before them, *Ex Officio*, and charging them with Heresy, without producing their Accuſers. Which was the more grievous to the Publick, becauſe the Party, ſo cited, muſt either abjure or be burned for an Heretick.

The Commons
Remonſtrance to
the King againſt
the Clergy.

This, and other Complaints for Exactions done by the Clergy in their Eccleſiaſtical Courts, were long debated in the Houſe of Commons; at laſt, it was concluded and reſolved, that all theſe Grievances ſhould be put in Writing and preſented to the King. And on the 18th of *March* the Speaker, accompany'd with divers Knights of Shires and Burgeſſes, went into the King's Preſence, and there declar'd to him how the Laity was ſore laid on by the cruel Demeanor of the Prelates and their Ordinaries, who ſpared neither their Bodies nor Goods. Then he delivered to his Maſteſty a Schedule of their Grievances in Writing; and humbly beſeeched him to take ſuch Order, in that Caſe, as to his moſt high Wiſdom ſeemed moſt convenient. He further beſought the King, to conſider what Fatigue, Charge and Coſt, his humble Subjects of the Lower Houſe had ſuſtained, ſince the Beginning of this Parliament; and that it would pleaſe his Maſteſty, out of his princely Benignity, to diſſolve it, that his Subjects might retire home to their own Countries.

When the King heard their Petition, he pauſed a while, and then ſaid,

His Answer.

It is not the Office of a King, who is a Judge, to be too eaſy of Belief; nor have I yet, nor will I uſe the ſame;

sume; for I will hear the Party accused speak before King Henry VIII.
 I give Sentence. Your Schedule contains several Articles of great and weighty Matters; and, as I perceive, is against the Prelates and Spiritual Persons of our Realm. This Thing you desire a Redress of and Reformation; which Desire is clean contrary to the last Part of your Petition; for there you require to have the Parliament dissolved and to depart into your own Countries; and yet you would have a Reformation of your Grievances with all Diligence. Notwithstanding your Fatigue and Charge hath been great in tarrying here, I assure you mine hath been no less than yours; and yet all the Pains I take for your Welfare is to me a Pleasure. Therefore, if you expect any Benefit in your Complaints you must stay the Time or else depart without Remedy. I much commend you that you will not contend or stand in Strife with the Clergy, who are your Christian Brethren; but much more you ought not, I think, to contend with me, who am your Sovereign Lord and King, considering, that I seek Peace and Quietness of you. I have sent to you a Bill concerning Wards and premier Seisin, in which Things I am greatly wronged; in this I have offered you Reason, as I think, and as the Lords do too, for they have passed the Bill and set their Hands to it. Therefore I do assure you, if you will not take a reasonable Thing when it is offered, I will search out the Extremity of the Law, and then will I not offer you so much again.

The Reason the King mentioned the Matter in the Conclusion of his Speech to them was this: It was then become a Custom for Men to make Feoffments of their Lands to their Uses; and in their Wills to settle their Lands with such Remainders, that not only the King but all other Lords lost their Wards, Marriages, and Reliefs. The King also lost his premier Seisin and the Profit of the Livery, which was to him a great Loss. Wherefore, says Hall, he like an indifferent Prince, not willing to take all nor to lose all, caus'd a Bill to be drawn by his learned Council, in which it was devised, that every Man might bequeath half his Land, so that he let the other Half go to the Heir by Descent.

King Henry VIII. When this Bill came before the Commons, the ignorant Members opposed it mightily, and spoke very disrespectfully of the King's Council about it: But the wiser Sort, who saw and understood the Mischief to come, would gladly have had the Bill to pass; or at the least, to have the King assur'd of a fourth Part. Which Offer, *Hall* says, he himself was credibly inform'd, the King would have taken; but some wilful People would neither agree to the Bill, as the Lords had done, nor to any reasonable Qualification of the same. This they soon after much repented of; for the King called together the Judges and the ablest Lawyers, and they disputed the Matter in Chancery, and agreed that Land could not be bequeathed by Will, by the Custom of the Common Law. Whereupon an Act was made, that no Man might bequeath his Land or any Part of it. Which Act, adds our Author, sore grieved such Lords and Gentlemen who had many Children to provide for; and shewed the simple what Mischief they had brought on themselves by Blindness and Obstinacy.

About this Time, on occasion of *Easter*, the Parliament was prorogued to the Tenth of *April*; and, being once more met, the Lord Chancellor, with the Dukes of *Norfolk* and *Suffolk*, the Earls of *Arundel*, *Oxford*, *Northumberland*, *Wiltshire* and *Sussex*, were sent by the House of Lords to the Commons; when, being sat down, the Lord Chancellor declared to them, 'That the King had been informed by his Council, and especially by the Duke of *Norfolk*, that on the Marshes between *England* and *Scotland* were very few Towns or Habitations on the *English* Side, but on the other many; so that the *Scots* inhabited up to the very Borders: For which Reason they invaded *England* several Times, and did the King's Subjects much Hurt and Displeasure. That, in order to remedy this, his Majesty intended to build Villages and Houses on this Side; and also, to renew several Piles and Stops to hinder these Invasions, to the great Convenience of all the Inhabitants thereabouts. But,

‘ as this Thing could not be done without much King Henry VIII.
 ‘ Expence, the Lords, considering the King’s good
 ‘ Intent in it, had agreed to allow some reasonable A Fifteenth vot-
 ‘ Aid towards it, and prayed the Commons to con- ed for Defence of
 ‘ sult about the same.’ Which said, they all with- the Northern
 drew. The Commons took this Affair into Consi- Borders.
 deration, and unanimously voted the King a *Fif-*
teenth, to support the Expence; but it was not
 concluded this Session: For, says *Hall*, a Plague sud-
 denly breaking out at *Westminster*, the Parliament
 was prorogued to the next Year.

An Abstract of the most remarkable Statutes, made
 in this Session, is drawn out by Lord *Herbert*, as
 follows:

‘ Whereas it was usual in former Times that Acts pass’d.
 Clerks who committed petty Treason, Murder, or
 Felony, were, through a certain Privilege of the
 Church, deliver’d to their Ordinaries, who also
 thereupon, for Lucre or other undue Motives, did
 suffer them to make their Purgation by such as no-
 thing knew of their Misdeeds, to the great Scandal
 of Justice: It was now enacted, that none should
 have the Benefit of this Recourse to the Ordinary,
 but those who were within holy Orders, and yet to
 find sufficient Sureties for their good Behaviour.
 This Act yet not to extend to those, who being
 attainted of Felony, or Murder, are after admitted
 to their Clergy, and so deliver’d to the Ordinary.
 It was provided also, that Ordinaries, having such
 Persons in their Custody, might degrade them, and
 send them to the *King’s-Bench* to be detain’d.

‘ It was enacted also, how Perjuries and untrue
 Verdicts should be punished. And this was to the
 singular Benefit of the Subject; there being no Mis-
 chief so easy to be done, so irreparable in their Con-
 sequence, or unlimited in their Extent, as those of
 this Kind.

‘ And, whereas the Commission of Sewers being
 about Sea-Walls, Gutters, Banks, &c. and Dams,
 Weers, &c. in fresh Rivers, was not particularly
 enough set down heretofore; it was now declared,
 and interpreted. And this was much for the Bene-

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King Henry VIII. fit of the Sea-Coasts, and making small Rivers navigable.

‘Whereas also Statutes of the Staple were heretofore used only betwixt Merchant and Merchant, for such Merchandize of the Staple, as passed betwixt them; the Use thereof was now permitted to others of the King’s Subjects upon certain Conditions. And this not only enlarged Contracts, but strengthened much the Sinews of them.

‘Whereas heretofore the King’s Subjects were ordinarily called by Citations to appear in the Arches, Audience, and other High Courts of the Archbishops of this Realm, to answer to many surmised Causes; and that they who refused, were excommunicated or suspended from divine Service; it was now enacted, that none should be so cited but in certain Cases declared in the said Statute.

‘Feofments of Lands also to the Use of a Church, as being little different from Mortmain, were made void.

‘Whereas divers, having the Benefit of their Clergy, were afterwards committed to their Ordinaries, and did there break Prison; it was now declared Felony.

‘Divers other good Statutes passed also this Session; which yet, for being merely legal, or limited to certain Places, are not here recited.

**Act relating to
Payment of An-
nates to Rome.**

‘This Year also an Act passed, concerning *An-
nates*, or the First-Fruits of Bishopricks, paid usually to the See of *Rome*, for the obtaining of Palls, Bulls, &c. (m) The Preamble and Consideration whereof was (as appears in the Records) 1. The great Sums of Money already passed out of the Kingdom that Way, (being no less than One Hundred and Sixty Thousand Pounds Sterling, since the second Year of *Henry the Seventh*.) 2. That more was likely to be shortly transported, by reason many of the Bishops are aged. 3. That the first Use and Grant of them was for maintaining Arms against Infidels. So that it was enacted, that they should henceforth
cease,

(m) This Act is not printed in the Statute-Books, and therefore *Bishop Burnet* hath publish’d it at length, amongst the Collection of Records to his first Vol. of the *Reformation*. No. *XLI*.

cease, and no more Money to be paid to *Rome* to *King Henry VIII.* that Intent, except as is hereafter specified, (*viz.*) Lest the Court of *Rome* should think themselves irremunerated for their Pain, in making and sealing Bulls in Lead, &c. it was ordain'd, that there may be allow'd for the said Bulls five Pounds in the Hundred, according to the Rate of each Bishoprick's clear Value above all Charges. And if any Man, being chosen to a Bishoprick, and presented by the King to the Pope, shall hereupon find any Lett or Hindrance, by Restraint of his Bulls, upon convenient Suit for the same; then he may be named and presented by the King's Highness to the Archbishop of the Province, who shall consecrate him; or, the said Archbishop delaying under pretence of wanting Pall, Bull, &c. the Person so named shall be consecrated, and invested by any two Bishops of the Land whom the King shall appoint thereto; and shall be held and reputed thereafter as a compleat Bishop. But of this Act we shall speak again when we come to the 25th Year of the King. For tho' it pass'd the Parliament now, and the King gave his Assent thereto; yet Power was reserv'd for him to annul or confirm the same any Time within two Years next following.

Moreover, in this Statute, the King and his Parliament declare, that they do not intend to use any Extremity or Violence, before gentle and courteous Ways have been attempted. But if it shall please the King to propose an amicable Composition to the Pope, and his Holiness shall be content either to abolish or moderate those *Annates*; then the Composition, so made, to stand firm. But if, upon the said amicable Propositions, the Realm cannot be disburthen'd, and that, for the Continuance of the same, the Pope shall unjustly vex, and disquiet the King or his Subjects by any Excommunication, &c. be it then enacted by the Authority aforesaid, that the King's Highness, his Heirs and Successors, Kings of *England*, and all his Spiritual and Lay Subjects of the same, without any Scruple of Conscience, shall and may lawfully, to the Honour of Almighty God,

King Henry VIII.

God, the Increase and Continuance of Virtue and good Example within this Realm, (the said Censures, Excommunications, Interdictions, Compulsories, or any of them notwithstanding) minister or cause to be ministred throughout this said Realm, and all other the Dominions and Territories belonging or appertaining thereunto, all and all Manner of Sacraments, Sacramentals, Ceremonies, or other Divine Service of Holy Church, on any other Thing or Things, necessary for the Health of the Soul of Mankind, as they heretofore, at any Time or Times, have been virtuously used or accustomed to do within the same. And that no Manner of such Censures, Excommunications, Interdictions, or any other Process or Compulsories shall by any of the Prelates, or other spiritual Fathers of this Realm, nor by any of their Ministers or Substitutes, be at any Time or Times hereafter published, executed, or divulged, in any manner of ways.

‘ This Act being pass’d, our King made use thereof, to terrify the Pope, which had its Effect ; as we find by our Ambassadors Letters dated from *Rome, April 29, 1532*, though together, as they were instructed from hence, his Holiness was told by them, that our King had reserved the whole Business to his own Power and Discretion ; which however it appeas’d the Pope a while, yet as Matters pass’d afterwards, this Statute had its final Confirmation in the next Parliament.’

In the Beginning of this Year, our Cotemporary Historian informs us, that the Lady *Anne Boleyn* was so much in the King’s good Graces that the common People, who knew not the King’s true Intent, thought the Queen’s Absence from him was, only, for her Sake. This harsh Expression our Historian endeavours to soften, by informing us, that the true Reason for the King’s Neglect of the Queen, was, because he was, openly, rebuked by Preachers for keeping Company with his Brother’s Wife ; so that he resolved to refrain himself till the Cause was fairly tried between them.

Henry forbears to
cohabit with
Queen Catherine.

In April, and in the twenty-fourth Year of this King's Reign, the same Parliament met again, when the Affair of the Divorce began now again to be canvassed. The, already, repudiated Queen wanted not those who defended her Cause publicly, both in Books, and Sermons; the chief of which were *John Fisher* Bishop of *Rocheſter*, and *Thomas Abel*, her Chaplain. The Pope had, alſo, made his laſt Attack on *Henry's* Conſcience, by a mild expoſtulating Letter, kindly exhorting him to put away *Anne Boleyn*, and take again *Catherine*, his lawful Wife. But all this did no good on *Henry*; who, being told, that one *Temſe*, a Member of the Houſe of Commons, had made a Motion, this Seſſion, *That they ſhould all petition the King to take his Queen again*; he ſent for Sir *Thomas Audley*, their Speaker, and talked to him to this Effect (n): " That he wondered any amongſt them, ſhould meddle in Buſineſſes, which could not properly be determined in their Houſe. But, for this Particular, it concerned his Soul ſo much, that he many Times wiſhed the Marriage had been good; yet, ſince the Doctors of the Univerſities had, generally, declared it unlawful, he could do no leſs than abſtain from her Company. He, therefore deſired them to take this as the true Reaſon, without imputing it to any wanton Appetite: Since, being in the forty-fiſt Year of his Age, it might juſtly be preſumed ſuch Motions were not ſo ſtrong in him as formerly. That they might the better underſtand this, he told them he had informed himſelf from all Parts of *Chriſtendom* concerning ſtrange Marriages; and, that, except, in *Spain* and *Portugal*, no Man had done ſo much as marry two Siſters, if the fiſt was carnally known (o). But, for a Brother to marry a Brother's

King Henry VIII.

Anno Regni 24.

1533.
At Weſtmiſter,

A Motion in the Commons for the King to take her again.

He pleads Conſcience for his Refuſal.

(n) KENNET, Vol. II. Pag. 158. from HALL's Chronicle, Fol. CCV. Who ſays farther, that Mr. *Temſe* mentioned ſeveral great Miſchiefs, in baſtardizing the Lady *Mary*, that muſt inevitably enſue.

(o) Againſt this Aſſertion *Polydore Vergil* hath left us this Teſtimony. After uſing a Maxim in the Levitical Law, Deut. Cap. 25. That

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King Henry VIII. "ther's Wife, was a Thing so abhorred amongst
"all Nations, that he never heard that any Chri-
"stian ever did so but himself. He wished them
"therefore to believe, that his Conscience was
"much troubled about it."

Some Time after, the King sent for the Speaker again, to give him the Answer which the Clergy had delivered in, relating to the Complaints the Commons had exhibited against them in the last Session. The King himself seemed not at all pleased with it; and further told them, "He had found
"that the Clergy of his Realm were but his half
"Subjects, or scarce so much; every Bishop or
"Abbot, at the entering into his Dignity, taking
"an Oath to the Pope, derogatory to that of their
"Fidelity to the King; which Contradiction he
"desired his Parliament to consider on, and take it
"away." Whereupon, says Lord *Herbert*, these two Oaths (*p*) being read in the House, and considered, they so handled the Business then, that it occasioned a final Renunciation of the Pope's Supremacy in *England*, two Years after.

Farther Proceedings as to the Pa-
pal Authority.

Anno Regni 24.
1533-4.

At Westminster. *ruary* the 4th, the same Parliament sat again, and made several Statutes.

The

That a Man may marry his Brother's Wife, if she had no Children by him, that his Name may not be lost in *Israel*, he says, *Atque Casus inopinatus intervenisse dicitur, quasi Testis non violatæ Virginitatis Catharinæ, quod ei (Arthuris) per Imbecillitatem Naturæ Viri admodum Adolescentis, Virginem adhuc esse licuerit, sicut illa sancte affirmabat, et cum ea testabantur Fœminæ probatissimæ, quibus cum illa de Rebus suis Secretioribus sæpe communicare solebat.* Pol. Verg. Lib. XXVII. P. 619.

(*p*) See the Form of these Oaths in the *Statutes at Large*, and in *Burnet's Reformation*, Vol. I. Pag. 133.

'The chief Laws enacted were (q), 'That all Victuals should be sold by the larger Kind of Weight *Avoirdupois*. That the Price of a Pound of Beef or Pork should be a Half-penny at most; and of Mutton or Veal Three Farthings, and less, where it was usually sold for less. This Law yet was finally repeal'd in regard unseasonable Years did not permit a certain Rule in these Things, and some of the Lords of the Council were appointed to set the Prices.

King Henry VIII.
Laws enacted.

'That they who kill'd any Person attempting to rob by or near the High-way, or that broke Houses, should be acquitted without forfeiting either Goods or Lands.

'That no Appeals should be made out of this Realm for these Reasons, viz. That whereas the Kingdom of *England* was a just Empire, furnish'd with such able Persons both Spiritual and Temporal as could decide all Controversies arising in it: And whereas *Edward I. Edward III. Richard II. Henry IV.* and other Kings of this Realm, had made sundry Ordinances, Laws and Statutes for the Conservation of the Prerogative, Liberties and Pre-eminences of the said Imperial Crown, and of the Jurisdictions Spiritual and Temporal of the same; to keep it from the Annoyance of the See of *Rome*, as also from the Authority of other Foreign Potentates attempting the Diminution or Violation thereof: And because, notwithstanding the said Acts, divers Appeals have been sued to the See of *Rome* in Causes Testamentary, Causes of Matrimony and Divorce, Right of Tythes, Oblations and Obventions, to the great Vexation and Charge of the King's Highness and his Subjects, and the Delay of Justice; and forasmuch as the Distance of the Way to *Rome* is such, as the necessary Proofs and true Knowledge of the Cause cannot be brought thither, and represented so well as in this Kingdom; and that therefore many Persons be without Remedy: It is therefore enacted, That all Causes Testamentary, Causes of Matrimo-

Act to prohibit
Appeals to Rome.

ny

King Henry VIII.

ny and Divorces, Tythes, Oblations and Obventions, either commenc'd or depending formerly, or which hereafter shall commence in any of the King's Dominions, shall be heard, discussed, and definitively determin'd, within the King's Jurisdiction and Authority in the Courts Spiritual and Temporal of the same, any foreign Inhibition or Restraints to the contrary notwithstanding. So that, although any Excommunication or Interdiction on this Occasion should follow from that See, the Prelates and Clergy of this Realm should administer Sacraments and say Divine Service, and do all other their Duties, as formerly hath been used, upon Penalty of one Year's Imprisonment, and Fine at the King's Pleasure; and they who procur'd the said Sentences, should fall into a *Præmunire* (r). As for the Orders to be observ'd henceforth, it was enacted, That in Suits commenced before the Arch-Deacon or his Officials, Appeal might be made to the Bishop of the said See: And from thence, within fifteen Days, to the Archbishop of *Canterbury*, or Archbishop of *York*, respectively in their Provinces, and so likewise to the Archbishops in the King's other Dominions. Or if Suit be commenc'd before the Archdeacon of any Archbishop or his Commissaries, then Appeal may be made within fifteen Days to the Court of Arches, and so to the Archbishops without farther Appeal: In all which Cases, the Prerogative of the Archbishop and Church of *Canterbury* was reserved.

That

(r) As this Term often occurs, in the Sequel of the Work, some Explanation here may be necessary. — The Etymology of the Word is taken from the Verb *Præmonere*; (being barbarously turned into *Præmunire*;) To forewarn or bid the Offender take heed: So that the Offence becomes greater by being forewarned of the Punishment. From thence it became a Cant-Word for a Writ of that Name, or the Offence upon which a Writ is granted; the one may be understood by the other. The Punishment was great; being appointed by the Statute of *Richard II. Anno 16. Cap. 5.* expressly to be thus: "That the Man should be out of the King's Protection, attached in 'his Body, and lose his Lands, Tenements, Goods and Chattels.'" See further on this Word, in *Cowell's Law Dictionary*, Edit. 1727. *Camden* says, it was Perpetual Exile and Loss of Living. *CAMDEN in Vita Eliz.*

The French have made this Word a Substantive, as indeed it is now used so in *English*; *Præmunire*, i. e. *Emprisonnement et Confiscation de Biens*. *BOYER's Dictionary.*

That if any Suit arose betwixt the King and his Subjects, Appeal might be made within fifteen Days to the Prelates of the Upper House in the Convocation then sitting, or next called by the King's Writ, there to be finally determined. And that they who shall take out any Appeal contrary to the Effect of this Act, or refuse to obey it, they, their Adherents, and Counsellors, shall incur the Penalty of the Statute of 16 Richard II.—And it is natural to suppose, that the Spirituality, finding the Power, invested formerly in the Pope, to be derived now in great Part on them, did more easily suffer the Diminution of Papal Authority.

King Henry VIII.

All former Statutes also made against the Excess of Apparel were repealed, and new Orders given, which yet stood not long: There being no Measure, it seems, for Things that depended so much upon Fancy and Opinion.

This Parliament did so co-incide with the King's inclinations, that the Statute to prevent Appeals to Rome, was made with an Intention to hinder Queen Catherine from carrying her Cause into that Court. And the poor Princess had now no other Way left out to rest by the Judgment of those, who were too much influenced by the King, or were her own mortal Enemies. Accordingly, the Queen being cited to appear before Cranmer, then Archbishop of Canterbury, and other Delegates, at Dunstable; and she not obeying the Summons, the Archbishop pronounced her contumacious, and proceeded to give Sentence against her; which was an absolute Separation, *a Mensa et Thoro*, for ever. This Affair was push'd the faster for a very good Reason, as Lord Herbert observes, because the Pregnancy of Mrs. Ann Boleyn, whom Henry had privately married, became so apparent, that it was necessary to make an open Declaration of it; and Ann was publicly crowned Queen of England, with the usual Ceremonies.

Queen Catherine divorced and Ann Boleyn crown'd Queen.

The Time of this last Session of Parliament was from Feb. 4th, as before observ'd, to April 7th, when it was then again prorogued to the Year following.

And

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King Henry VIII. And now the *Journals* begin also again, so that the Substance of what we shall give, relating to the farther Proceedings of this Parliament, is chiefly taken from that Authority.

Anno Regni 25, The next Session begun on the 15th Day of
1534. *January*, in the 25th Year of this Reign.

At Westminster. The Business of the first Day was taken up in reading Appointments of Proxies for the absent Lords; and an Adjournment was made by the Lord Chancellor till the 17th of the same Month. On

Acts for re-
trenching Eccle-
siastical Power. which Day, Complaint being made to the House, that several wicked Facts had been committed, every Way worthy of Death, but by the Laws then in being, as the Judges declared, were not punishable as they ought to be; it was thought proper to ordain, that whatever Person, guilty of such Wickedness, should endeavour to screen himself from Justice, by betaking himself to some consecrated Place or Sanctuary, he should lose the Benefit of the Church's Protection: And, that all Persons found guilty of Sodomitical Practices should suffer Death for them. Which Crimes were remitted by the House to the Consideration of the Judges, and they were ordered to draw up two Bills for that Purpose. These Bills were both Strokes at the Ecclesiasticks and their Authority, as will be seen in the Sequel.

An Affront, of a very singular Kind, was offer'd by the House of Commons against the Bishop of *London* this Session. Complaint being made by them to the Lords, That the Bishop had a long Time imprisoned one *Thomas Philips*, on Suspicion of Heresy, the Lords dismiss'd the Complaint, as a Business too frivolous for that Court. But the said Bishop of *London* was again required, by the Commons, to answer to the Complaint in Writing; whereupon he acquainted the Lords, that he might have their Opinion; and they all agreed, *That it was not a Thing fit for a Peer to answer to in such a Place.*

The Bishop of
London refuses
to answer to the
Commons Com-
plaint.

Many were the Acts that were passed in this Session of Parliament, tho' the Statute Books have much abridged them in their Number. These only making

making them to be Twenty-two, whereas the *four*-King Henry VIII, nals give us the Titles of Thirty-four. Lord Herbert has drawn up the Heads of the most remarkable Statutes that are printed; and what he hath omitted we shall subjoin from the aforesaid Authority.

It was enacted (s), 'That the Price of Victuals Acts pass'd. should not be enhanced without just Ground and Reason. If they were, then upon Complaint thereof, the Lord Chancellor, and others who had Authority given them herein, should tax the said Victuals how they should be sold, either by the Owners or by Victuallers. Also that no Corn or Cattle be carried beyond Sea, without the King's Licence, unless either to *Calais, Guisnes, Hammes*, and their Marches, or for Victualling of Ships, &c.

'That no Man indicted of Murder, Burglary, or other Felony, and upon his Arraignment standing mute, to prevent the Process of the Law against himself, shall have Benefit of his Clergy; but Law shall proceed against him for the Crime whereof he is indicted, as if he had pleaded to the same, and thereupon had been found guilty.

'Buggery made Felony.

'*Elizabeth Barton* (t), call'd the *Holy Maid* of *Kent*, and her Accomplices, were attainted of High Treason, for conspiring to slander the Divorce between the King and Queen *Katherine*, and the late Marriage between him and Queen *Ann*.

Vol. III.

G

'Because

(s) Abstracts of all the Acts passed this Session, may be seen also in *Burnet*, Vol. I. p. 144, &c. *Collier's* Ecclesiast. Hist. Vol. II. p. 87, &c.

(t) Whilst the Divorce was under Debate, one *Elizabeth Barton*, commonly call'd the *Holy Maid* of *Kent*, a Votress in *Canterbury*, was taught by *Booking*, a Monk, to counterfeit many Trances, and in the same to utter many pious Expressions, to the Rebuke of Sin. Under which she was heard the more freely against the Doctrine of *Luther* and the Translation of the Scriptures, then desir'd by many. Also giving forth, from God and his Saints, by sundry Revelations, That if the King proceeded in his Divorce and second Marriage, he should not reign in his Realm one Month after, nor rest in God's Favour and favour. But the imposture being detected, she and seven of her Accomplices, were hang'd at *Tyburn*, for Treason, and others of them fined and imprisoned.

Howell's *Medulla Hist. Ang. An.* 1534.

The whole Process against this *Elizabeth Barton*, is in *Hall's Chronicle*, Fol. ccxx, &c. and *Burnet*, Vol. I. p. 149, &c.

King Henry VIII.

‘ Because by the Greediness of some, who have gotten into their Hands much Cattle and many Farms, which they have turned from Tillage to Pasture, especially for Sheep, old Rents are raised, Prices of Things enhanced, and so much Poverty and Theft ensued: It was enacted, That no Clerk should have in his own or Farmed Lands above 2000 Sheep, yet that any Temporal Person may keep upon his Inheritance as many as he will. Secondly, that no Man shall take and hold above two Farms at once, and those to be in the same Parish, upon certain Penalties there set down.

‘ The Statute of *Henry IV.* concerning Hereticks, was repealed. And it was enacted, That Sheriffs in their Turns, and Stewards in their Leets, may make Inquiry and Presentment of Hereticks; who being by two lawful Witnesses accused, may be cited and arrested by an Ordinary, and being convicted in open Court, shall abjure their Heresies, and refusing so to do, or relapsing, shall be burnt.

‘ Also the Statute of *Richard III.* permitting free Importation of all Kind of Books, was repealed. And, for the Benefit of our Book-binders, it was enacted, That no Bookfeller should buy any Books bound beyond Sea; nor any, though unbound, of any Stranger but by Engros. And if the Prices of Books chance to be raised above Reason, the Lord Chancellor, Lord Treasurer, the Chief Justice of either Bench, or any two of them, shall moderate the same, upon a certain Penalty.

‘ Whereas the Clergy have truly acknowledged, that the Convocation is always assembled by the King’s Authority, and have promis’d his Majesty, that they will not henceforth make or alledge any new Constitution, without his Highness’s Assent and Licence: And whereas divers Constitutions and Canons, Provincial and Synodal, heretofore enacted, are thought to be prejudicial to the King’s Prerogative, and contrary to the Statutes of the Realm, and enormous to the People; and the said Clergy therefore hath humbly besought his Majesty that the said Constitutions and Canons may be committed to the

Exami-

Examination of thirty-two Men, to be named by his Majesty, or sixteen of both Houses of Parliament, and sixteen of the Clergy, who may annul or confirm the same, as they find Cause; it is enacted, That all Convocations shall be henceforth called by the King's Writ, and that in them nothing shall be promulged or executed without his Highness's Licence, under Pain of Imprisonment of the Authors, and Mulct at the King's Will. And that his Highness shall at his Pleasure, seeing the Time of this Parliament is too short, appoint thirty-two Men as aforesaid, to survey the said Canons and Constitutions, for the Confirmation or Abolition of the same.

King Henry VIII.
Convocations to be call'd by the King's Writ.

And as concerning Appeals, they shall be made, according to the Statutes made the last Year, from inferior Courts, to the Archbishops; and for lack of Justice there, to the King's Majesty in his Court of Chancery.

And as concerning *Annates* used to be paid to *Rome* by Archbishops and Bishops, and Bulls and Palls to be had from thence, since there hath been heretofore an Act passed, and the Bishop of *Rome*, otherwise called Pope, being informed thereof, hath as yet devis'd no Way with the King's Highness for Redress of the same; his Highness hath now confirm'd and ratified the same Act, and every Article thereof, and the Parliament doth enact the same, with this Addition, that from henceforth no Bishop shall be commended, presented or nominated, by the Bishop of *Rome*, nor shall send thither to procure any Bulls or Palls, &c. but that at every Vacancy of a Bishoprick, the King shall send to the Chapter of the Cathedral a Licence, as of old hath been accustomed, to proceed to Election; which Election being deferred above twelve Days next ensuing shall belong to the King, but being made within the Time limited shall be held firm and good; and the Person so elected, after Certification of his Election to the King's Highness, and Oath of Fealty taken to him, shall be stiled Bishop Elect; and so by his Majesty be commended to the Arch-

Payment of Annates to the Pope forbid.

King Henry VIII. bishop of the Province, to be invested and consecrated. And if the Persons, to whom this Election, or Consecration, belongeth, neglect or refuse to perform the same, or admit, or execute any Censures, Interdictions, &c. to the contrary, they shall incur the Penalty of the Law of *Præmunire*.

And also of Peter-Pence.

Whereas the People of this Land have been much impoverished by the usurped Exactions of the Bishop of *Rome*, under the Title of *Peter-Pence* (u), Procurations, Expedition of Bulls, Delegacies, Dispensations, &c. it is enacted, That such Imposition be no more paid; and that neither the King's Highness, nor any Subject of his, shall sue for any Dispensation, Faculty, Delegacy, &c. to the See of *Rome*, but that any such Dispensation, &c. for Causes not being contrary to the Law of God, which were wont to be had from *Rome*, may be now granted by the Archbishop of *Canterbury*, as well to the King's Highness, as to his Subjects; but in those Things which were not wont to be granted by the See of *Rome*, the said Archbishop shall not meddle, without the King's Licence. Provided that all Dispensations, &c. whose Expedition at *Rome* came to four Pounds and upwards, shall be confirmed by the King's Seal and enrolled in Chancery; those below four Pounds passing under the Archbishop's Seal only. That the Fees for these

(u) *PETER-PENCE*, hath been so often mentioned in the Course of this Work, that it seems necessary to give some Account of it, especially at this Time, when it was wholly abolished in *England*. An eminent Author says, he found a Copy of the yearly Value of this holy Tax in an old *MS.* belonging to the Church of *Chichester*.

<i>Episcop.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>Episcop.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>
Cant.	7	18	0	Exon.	9	5	0
London.	10	10	0	Wigorn.	10	5	0
Roffen.	5	10	0	Hereford.	6	0	0
Norwicen.	21	10	0	Bathon.	12	0	0
Elien.	5	0	0	Sarisbury.	17	0	0
Lincoln.	42	0	0	Covent.	10	0	0
Cicestren.	8	0	0	Eborac.	11	10	0
Winton.	17	6	8				
<i>Summa Totalis.</i>					193	14	8

An Historical Vindication of the Church of England, by Sir Roger Twysden, Quarto, Lond. 1657. p. 77.

these Dispensations shall be limited by the said Archbishop, and the Lord Chancellor; and a Part of the same, be they great or small, shall always come to the King's Hands. As for all Monasteries, Colleges, Hospitals heretofore exempt, the King only, and not the Archbishop, should have Authority to visit them.

‘ Lastly, upon the Suit of the Parliament to the King, for the establishing of the Succession to the Crown, the Uncertainty whereof hath caused heretofore much Division and Bloodshed in this Realm, it was enacted, That the King's Marriage with the Lady *Katherine*, Wife, and carnally known to his Brother Prince *Arthur*, as was lawfully proved before *Thomas* Archbishop of *Canterbury*, as contrary to God's Law, shall be held void, and she stiled no more Queen, but Dowager to Prince *Arthur*; and the Matrimony with Queen *Anne* shall be taken for firm and good, and the Issue thence procreate be accounted lawful; the Inheritance of the Crown to belong to the same in Manner following, viz. first to the eldest Son begotten by the King on Queen *Anne*, and to the Heirs of the said Son lawfully begotten; and for Default of such Heir, then to the second Son, &c. and if Queen *Anne* decease without Issue Male, then the Crown to descend to the Son and Heir of the King's Body lawfully begotten, and the Heirs of the said Son lawfully begotten; and for a Default of such Issue, to the second Son in like manner, &c. And for Default of Sons, that then the Crown shall belong to the Issue Female of the King by Queen *Anne*; and first to the first begotten the Princess *Elizabeth*, and to the Heirs of her Body lawfully begotten; and for Default of such Issue, then to the second Daughter in like Sort, &c. and for Default of all such Issue, to the right Heirs of the King's Highness. It was ordained, that this Act shall be proclaimed before *May* next throughout the Kingdom. And all Persons of Age shall swear to accept and maintain the same: They who refuse the Oath standing guilty of Misprision of High Treason; and they who speak or write against the

King Henry VIII.
The King's Marriage with Queen Katherine declared void, and that with Ann Boleyn confirm'd by Law.

King Henry VIII. Marriage or Succession here established, to be adjudged Traitors.

Besides all this, the present Statute expressed certain Degrees of prohibited Marriage; amongst which, that between the Brother and Brother's Wife was one, which being against God's Laws could not be dispens'd with by Man, and therefore no such Marriages shall hereafter be made; and those that are made already shall be by the Ordinary dissolved, and those that are already so dissolved, shall be esteemed justly and lawfully dissolved, and the Issue thence proceeding illegitimate.

Besides the Acts mentioned by Lord *Herbert*, to be passed this Session, there was another for attainting Bishop *Fisher* and Sir *Thomas More* intended, for holding some Correspondence with the *Holy Maid of Kent*. But there appearing no Malignity in this Commerce, the King, on their humble Submission, prevented the Bill from passing. *Fisher's* Letter to the House of Lords, on this Occasion, excusing himself from having any ill Intent in the Matter, is so singular as to merit a Place in these Enquiries.

My Lords,

Bishop *Fisher's*
Vindication of
himself in rela-
tion to the *Holy*
Maid of Kent.

' After (*) my most humble Commendations unto all your good Lordships, that sit in this most high Court of Parliament; I beseech in like Manner to hear and to tender this my Suit, which by Necessity I am now driven to make unto all your Lordships in Writing; because I may not by reason of Disease and Weakness at this Time be present myself before you, without Peril of Destruction of my Body, as heretofore I have written to Mr *Cromwell*; which gave me no Comfort to obtain of the King's Grace, Respite for my Absence till I be recovered. If I might have been present myself, I doubt not but the great Weakness of my Body, with other manifold Infirmities, would have mov'd you much rather to have Pity of my Cause and Matter; whereby I am put under this grievous Trouble.

' So

(*) *Collier's Ecclesiast. Hist.* Vol. II. p. 37, from the Original. *Colson, Cleop.* E. VI. Fol. 166.

‘ So it is, my good Lords, that I am inform’d of King Henry VIII.
 ‘ a certain Bill that is put into this high Court a-
 ‘ gainst me and others concerning the Matter of the
 ‘ Nun of *Canterbury*, which Thing is to me no
 ‘ little Heaviness, and most specially in this piteous
 ‘ Condition that I am in.

‘ Nevertheless, I trust in your Honours Wisedoms
 ‘ and Consciences, that you will not in this high
 ‘ Court, suffer any Act or Condemnation to pass
 ‘ against me, till my Cause may be well and duly
 ‘ heard. And therefore in my most humble wise,
 ‘ I beseech all you my Lords in the way of Cha-
 ‘ rity, and for the Love of Christ; and for the
 ‘ mean Season, it may please you to consider that
 ‘ I sought not for this Woman’s coming unto me;
 ‘ nor thought in her any Manner of Deceit. She
 ‘ was the Person that by many probable and likely
 ‘ Conjectures, I then reputed to be right honest,
 ‘ religious, and very good and virtuous. I verily
 ‘ suppos’d, that such Feigning and Craft, compas-
 ‘ sing of any Guile or Fraud, had been far from
 ‘ her: And what Default was this in me so to
 ‘ think, when I had so many probable Testimonies
 ‘ of her Virtue?

‘ First, the Bruit of the Country, which generally
 ‘ call’d her the *Holy Maid*.

‘ Secondly, her Entrance into Religion upon
 ‘ certain Visions which was commonly said that
 ‘ she had.

‘ Thirdly, for the good Religion and Learning
 ‘ that was thought to be in her Ghostly Father, and
 ‘ in other virtuous and well learned Priests that
 ‘ then testified of her Holiness, as it was commonly
 ‘ reported.

‘ Finally, my Lord of *Canterbury*, that then
 ‘ was both her *Ordinary* and a Man reputed of
 ‘ high Wisdom and Learning, told me that she had
 ‘ many great Visions. And of him I learn’d great-
 ‘ er Things than ever I heard of the Nun herself.

‘ Your Wisedoms, I doubt not, here see plainly
 ‘ that in me there was no Default to believe this
 ‘ Woman

King Henry VIII. ' Woman to be honest, religious, and of good
' Credence.

' For sith then I am bounden by the Law of
' God, to believe the best of every Person until the
' contrary be prov'd, much rather I ought so to
' believe of this Woman that had then so many
' probable Testimonies of her Goodness and Virtue.

' But here it will be said, that she told me such
' Words as was to the Peril of the Prince, and of
' the Realm. Surely I am right sorry to make any
' Rehearsal of her Words, but only that Necessity
' so compels me now to do.

' The Words that she told me concerning the
' Peril of the King's Highness were these: She said
' that she had her Revelation from God, that if the
' King went forth with the Purpose that he intend-
' ed, he should not be King of *England* seven
' Months after; and she told me also, that she had
' been with the King and shew'd unto his Grace
' the same *Revelation*.

' Tho' this was forg'd by her or any other, what
' Default is mine, that knew nothing of that For-
' gery? If I had given her any Counsel to the
' Forging this *Revelation*, or had any Knowledge
' that it was feigned, I had been worthy of great
' Blame and Punishment. But whereas I never
' gave her any Counsel to this Matter, nor knew
' of any forging or feigning thereof, I trust in your
' great Wisdoms that you will not think any De-
' fault in me touching this Point.

' And as I will answer before the Throne of
' Christ, I knew not of any Malice or Evil that
' was intended by her, or by any other earthly Crea-
' ture, unto the King's Highness: Neither her
' Words did so sound that by any temporal or
' worldly Power such Thing was intended, but
' only by the Power of God, of whom, as she
' then said, she had this *Revelation* to shew unto
' the King.

' But here it will be said, that I should have
' shew'd the Words unto the King's Highness.
' Verily if I had not undoubtedly thought that she
' had

‘ had shew’d the same Words unto his Grace, my ^{King Henry VIII.}
 ‘ Duty had been so to have done. But when she
 ‘ herself, which pretended to have this *Revelation*
 ‘ from God, had shew’d the same ; I saw no Necessi-
 ‘ fity why that I should renew it again to his Grace.
 ‘ For her esteemed Honesty, qualified as I said be-
 ‘ fore with so many probable Testimonies, affirm-
 ‘ ing unto me that she had told the same unto the
 ‘ King, made me right assuredly to think, that she
 ‘ had shew’d the same Words to his Grace.

‘ And not only her own Saying thus persuaded
 ‘ me, but her Prioress’s Words confirm’d the same,
 ‘ and their Servants also reported to my Servants
 ‘ that she had been with the King. And yet be-
 ‘ sides all this, I knew it not long after by some
 ‘ others that so it was indeed. I thought therefore
 ‘ that it was not for me to rehearse the Nun’s
 ‘ Words to the King again, when his Grace knew
 ‘ them already, and she herself had told him before.
 ‘ And surely divers other Causes dissuaded me so to
 ‘ do, which are not here openly to be rehearsed.
 ‘ Nevertheless when they shall be heard, I doubt
 ‘ not but they will altogether clearly excuse me as
 ‘ concerning this Matter.

‘ My Suit therefore unto all you, my honoura-
 ‘ ble Lords, at this Time is, that no Act of Con-
 ‘ demnation concerning this Matter be suffered to
 ‘ pass against me in this high Court before that I be
 ‘ heard, or else some other for me, how that I can
 ‘ declare myself to be guiltless herein.

‘ And this I most humbly beseech you all, on
 ‘ your charitable Goodnesses, and also, if that perad-
 ‘ venture in the mean Time there shall be thought
 ‘ any Negligence in me for not revealing this Mat-
 ‘ ter unto the King’s Highness, you, for the Pu-
 ‘ nishment thereof which is now past, ordain no
 ‘ new Law ; but let me stand unto the Laws
 ‘ which have been heretofore made, unto the
 ‘ which I must and will obey.

‘ Beseeching always the King’s most noble Grace,
 ‘ that the same his Laws may be ministring unto me
 ‘ with Favour and Equity, and not with the strict-
 ‘ est

King Henry VIII

est Rigour. I need not here to advise your most high Wifdoms to look up to God, and upon your own Souls in ordaining fuch Laws for the Punifhment of Negligences, or of other Deeds which are already paff, nor yet to look upon your own Perils which may happen to you in like Cafes. For there fits not one Lord here but the fame, or other like, may chance unto himfelf that now is imputed unto me.

And therefore eftfoons I befeech all your benign Charities to tender this my moft humble Suit as you would be tender'd if you were in the fame Danger yourfelves: And this to do for the Reverence of Chrift, for the Difcharge of your own Souls, and for the Honour of this moft high Court: And finally, for your own Sureties, and others that hereafter fhall fucceed you. For I verily truft in Almighty God, that by the Succour of his Grace, and your charitable Supportations, I fhall fo declare myfelf, that every Nobleman that fits here fhall have good Reason to be therewith fatisfied. Thus our Lord have you all, this moft honourable Court, in his Protection. *Amen.*

This Seflion of Parliament continued till *March 30th*; on which Day the Lord Chancellor, by the King's Command, ordered that all and fingular the Lords Spiritual and Temporal, in their Parliament-Robes, together with the Members of the Houfe of Commons, fhould appear at the fame Place, at two o'Clock in the Afternoon. At which Time, the three Eitates of the Realm being afsembled; the King on the Throne, the Lords by Name in the Journal, being feated according to their Ranks and Dignities, and the whole Houfe of Commons attending; Sir *Humphrey Wingfield* Knight, then Speaker of that Houfe, made an elegant Speech, fays our Authority, to the King, on prefenting the Bills for the Royal Affent; which was kindly and graciously accepted. Sir *Thomas Audley* Knight, Lord Chancellor of *England*, by the King's Command, returned an Answer to it: And gave Thanks to all the Members of both Houfes, for their great Care and Con-

Conduct in making so many excellent Laws for the publick Good. Which Bills being all read and assented to, the Chancellor prorogued the Parliament to the 3d Day of *February* next ensuing ; on which Day, he said, it was the King's absolute Command that they should all, without further Notice, attend.

King Henry VIII

The Parliament prorogued.

The Chancellor, likewise, took Notice of one particular Act, made this Session, concerning the Settlement of the Crown on the King's Issue, by *Ann*, his present Queen, as the principal and most useful of them all. In this it was enacted, amongst other Matters, That all and singular Person or Persons, should take an Oath to do and fulfil every Ordinance, comprehended in the said Act. On the due Observation of which, he added, the Good and Happiness of this Kingdom, chiefly, depended. To which End, the King, by his Letters Patents, had constituted and appointed the said Lord High Chancellor of *England*, the Archbishop of *Canterbury*, *Thomas Duke of Norfolk*, Lord Treasurer, and *Charles Duke of Suffolk*, who first took the Oath, annexed to the Letters Patent, in the King's Presence, to swear all the rest of the Lords Spiritual and Temporal, with the Members of the House of Commons, in the same Manner : As appears by a Transcript of the said Act, to which all the Jurors subscribed their Names. After this, the King and all the rest retired.

Next follows the Commission itself, which was to this Effect :

HENRY VIII. *By the Grace of GOD, &c. to the most Reverend Father in Christ, Thomas Archbishop of Canterbury.* [With the rest aforementioned.]

The King's Commission for Swearing to the Act of Succession in favour of *Ann Boleyn*.

Whereas, we are well assured of your Fidelity and provident Circumspection for the publick Good, know ye, That by the Tenor of these Presents, we give full Power and Authority to you three, or to any two of you, to take and receive the Oath and Assurance of all and singular, Dukes, Earls, barons, Bishops, Abbots, Priors, Knights, and all other our Liege Subjects of any

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King Henry VIII. State and Degree whatsoever. According to the
 ' Force and Intent of a certain Statute, made in this
 ' present Parliament, concerning our present State,
 ' Security and Succession. And, according to the
 ' Form of the Oath thereunto annexed. Moreover,
 ' that you take care to return the Names of all those
 ' so sworn, as, also, these Patents, under your Seals
 ' into our Chancery. And, herein we desire you
 ' will use all possible Diligence and Dispatch.'

*Witness our Self, at Westminster, March 30th,
 in the 25th Year of our Reign.*

The OATH.

The Oath.

YE shall sweare to beare faith, truth and obedience all
 onely to the Kings Maiesty, and to his heires of his
 body of his most deare and entirely beloued lawfull wife
 Queene Anne begotten and to be begotten. And fur-
 ther to the heire, of our said Soueraigne Lord, according
 to the limitation in the Statute made for surety of his
 succession in the Crowne of this Realme mentioned and
 contained, and not to any other within this Realme,
 nor foreine authority or potentate. And in case any
 oath be made, or hath beene made by you to any person
 or persons, that then ye to repute the same as vaine and
 annihilate. And that to your cunning, wit, and utter-
 most of your power, without guile, fraud or other un-
 due meane, ye shall obserue, keepe, maintaine and de-
 fend the said Act of succession, and all the whole effects
 and contents thereof, and all other Acts and Statutes
 made in confirmation, or for execution of the same, or
 for any thing therein contained. And this ye shall doe
 against all manner of persons, of what estate, dignity,
 degree or condition soever they be. And in no wise doe
 or attempt, nor to your power suffer to be done or at-
 tempted, directly or indirectly, any thing or things, pri-
 vately or appertly, to the let, hinderance, damage or
 derogation thereof, or of any part of the same, by any
 manner of meanes, or for any manner of pretence, so
 help you GOD, and all Saints, and the holy Euangelists,

We shall next subjoin an Abstract of the Heads of
 the most remarkable Statutes, mentioned in the
Journal Books, as passed in this Session of Parlia-
 ment,

ment, and are not taken Notice of, either in the printed Statutes, or in Lord *Herbert*, or other Historians; the Statute-Books only making them twenty-two in Number, but the Journals thirty-four. This is remarkable, because some of these Statutes have a plain Reference to the History of these Times, and seem to want a farther Explanation.

An Act concerning the Confirmation of Dower to the Lady *Catharine*, late Wife to Prince *Arthur*, Acts pass'd. eldest Son to King *Henry VII.*

Another for abrogating the usurped Authority of the Pope of *Rome*; who, for a long Time has unlawfully used it in this Kingdom.

Another for the confirming the Jointure, settled upon the most excellent Princess, the Lady *Ann*, Queen of *England*.

An Act for depriving the Bishops of *Salisbury* and *Worcester* from their Sees (a).

For confirming to the King and his Heirs the Lands belonging to the Priory of *Christ-Church* in *London*.

An Act to declare the Manner of Elections and Confirmations of Archbishops and Bishops within this Realm.

Another concerning a Confirmation of the Marriage, between our most illustrious King and the most excellent Princess *Ann*, his Wife, lately solemnized.

With several other more private Bills.

King *Henry* and his Parliament agreed so very well together in every Thing, that it now plainly appears, by these frequent and annual Prorogations, that he had no Mind to part with them, till the great Work of Reformation, which he had taken in Hand, was accomplished. Much had been, already, done towards it, but much more remained behind to do; by far, more difficult and dangerous than the other. However, the next Session of this Parliament gave the

(a) These Bishops were two Italians; the one was *Laurence Campegius*, a Roman Cardinal, made Bishop of *Salisbury*, by Papal Provision, 1525; and the other *Jerome de Ghinucci*, Bishop of *Worcester*, Anno 1523. Both deprived for Non-Residence.

King Henry VIII. the King several convincing Proofs of their great Zeal for his Service; and as **Lord Herbert** observes, the Statutes then enacted were so important, as evidently to shew the great Respect and Awe born by the Nation to their King (*b*).

The *Journal Books* here again forsake us; the Sessions of Parliament, in the 26th and 27th Year of this King, being lost from the Office; so that we must depend upon the printed Statutes and Histories, for the farther Proceedings of this Parliament to its Dissolution.

According to the last Prorogation, they met again, on *February* the 3d by the Statute-Books, but *Hall* and *Lord Herbert* say, *November* the 3d. At which Time the following Acts were made;

Anno Regni 26,
1535.

The King declared
Supreme Head
of the Church.

‘ The first was to this Effect; That albeith the King was the Supreme Head of the Church in *England*, and so recognised by the Clergy of this Realm in their Convocations, yet for more Corroboration thereof, as also for extirping all Errors, Heresies, and Abuses of the same; it was enacted, That the King, his Heirs and Successors, Kings of *England*, should be accepted and reputed the Supreme Head on Earth of the Church of *England*, called, *Ecclesia Anglicana*. And have and enjoy, united and annexed to the Imperial Crown of this Realm, as well the Title and Stile thereof, as all Honours, Dignities, Preheminences, Jurisdictions, Privileges, Authorities, Immunities, Profits, and Commodities to the said Dignity of Supreme Head of the same Church belonging or appertaining. And that our said Sovereign Lord, his Heirs and Successors, Kings of this Realm, shall have full Power and Authority from Time to Time, to visit and repress, redress, reform, order, correct, restrain and amend all such Errors, Heresies, Abuses, Offences, Contempts and Enormities, whatsoever they be, which, by any Manner of spiritual Authority or Jurisdiction, ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained, or amended, most to the Pleasure of Almighty
‘ God,

(*b*) *Lord Herbert.*

God, the Encrease of Virtue in Christ's Religion, King Henry VIII.
and for the Conservation of the Peace, Unity and
Tranquility of this Realm, any Usage, Custom,
foreign Laws, foreign Authority, Prescription, or
any Thing or Things to the contrary hereof not-
withstanding. Which Act, though much for the
Manutention of the Regal Authority, seem'd yet
not to be suddenly approved by our King, nor
before he had consulted with his Council (who
shewed him Precedents of Kings of *England*, that
had used this Power) and with his Bishops, who
having discussed the Point in their Convocations,
declared, That the Pope had no Jurisdiction war-
ranted to him by God's Word in this Kingdom.
Which also was seconded by the Universities,
and by the Subscriptions of the severall Colleges,
and Religious Houses, so far as they bound their
Successors thereunto; the Particulars whereof
are to be seen in our Records. However, the Bu-
siness was both publickly controverted in foreign
Countries, and defended here by many at this pre-
sent, while they produced Arguments for seje-
cting the Pope's Authority; and together maintained
it necessary, that such a Power should be extant
in the Realm for supporting and strengthening of
the Religion professed in it, and excluding the im-
pertinent and ill-grounded Reformations of many
Sectaries of those Times. The Arguments of all
which, may be seen in the King's Book *De vera
Differentia Regiæ et Ecclesiasticæ Potestatis* (which
we have formerly mentioned) as being printed and
published on this Occasion; whence also the learn-
ed Bishop *Andrews* in his *Tortura Torti*, seems to
have drawn divers Assertions of the Regal Autho-
rity, to which therefore the curious Reader may
have further Recourse.

‘ It was also declared Treason to attempt, imagine
or speak evil against the King, Queen, or his Heirs, Other Acts pass.
ed.
or to attempt or deprive them of their Dignity or
Titles.

‘ Also, that no Traitor shall have Benefit of Sanc-
tuary. And though he be out of the Realm, yet

upon

King Henry VIII. upon Commission given by the King for his Trial, if he be found guilty by the Jury, the Law shall proceed against him, as effectually as he were present.

‘An Act also made the last Parliament for an Oath to be taken by all the King’s Subjects for the Surety of the Succession by Queen *Ann* was now confirmed, and the Oath prescribed; for the more validating whereof also, it was declared that, all former Oaths, concerning Succession, taken by the King’s Subjects, should be reputed thenceforth vain and annihilated.

‘That towards the Augmentation, Maintenance and Defence of the King’s Royal Estate and Dignity of Supreme Head, the First Fruits of all Benefices, Dignities, Offices &c. Spiritual, shall be paid to his Highness. As also a yearly Revenue, being the tenth Part of all such Livings; the Prior and the Brethren of St. *John’s* of *Jerusalem* not excepted.

‘Whereas also it was doubted, lest in these troublesome Times, some Commotion might follow in this Kingdom, and that particularly *Wales*, as being a strong and fast Country, might be a Refuge for ill-affected Persons, and the rather that there were so many Lordships Marches in those Parts (the several Lords whereof having ampler Power than they now enjoy, did protect Offenders flying from one Place to the other) divers Laws were enacted against Perjuries, Murders, Felonies in *Wales*; Passage over *Severn* also at unlawful Times was prohibited, and Clerks convict in *Wales* not to be released till they found Sureties for their good abearing. Notwithstanding which, the Year following, upon mature Deliberation, *Wales* was united and incorporated totally unto the Crown of *England*, ‘it being thought better to adopt that People into the same Form of Government with the *English*, than by keeping them under more severe and strict Laws than others in the Island were subject unto, to hazard the alienating of their Affections.

‘An Act also was made, declaring by whom, and in what Manner Bishops Suffragans should be nominated

minated and appointed, and what their Authority and Privileges should be. And thus, after a free and general Pardon from the King was enacted, the Parliament was prorogued.

The Act of Supremacy being passed, the King proceeded more confidently to abolish, by Proclamation, the Pope's Authority out of his Kingdom, and establish his own; the Doctrine whereof he commanded not only to be often preached in the most frequent Auditories, but taught even to little Children; enjoining further, that the Pope's Name should be razed out of all Books (z); his Resolution being after this Time to treat him no otherwise than as an ordinary Bishop. In Consequence whereof also, he not only proceeded with an high Hand against all the Opposers of his Supremacy, (as shall be related in its due Place) but accepted a voluntary Oath or Promise, from his Bishops, under their Hands and Seals declaring their Acknowledgement of the same, together with a Renunciation of the Pope's pretended Authority, and any Oath or Promise made to him heretofore. The Form of this Oath or Promise, made by *Stephen Gardener*, Bishop of *Winchester*, *Febr.* the 10th, 1535, may be seen in *Faxe*, to which we remit the Reader.

If we may credit the Preamble to the printed Statutes, this Session of Parliament continued sitting from the Date above, to the 18th of *December* following. But, this is scarce probable, for we find that they met once more by Prorogation on the 4th of *February*, in the Beginning of the next Year; which is hardly Time enough for some of the more distant Members to go home and return again. It is true, they had a great Deal to do in it; the Length and Breadth of the Acts which were passed at this Session, requiring great Skill in the making and dressing of them. But the grand *Coup de Grace* of all, was the Act declaring King *Henry*, SUPREMUM CA-

VOL. III.

H

PUT

(z) We have seen several Books printed, before this Time, wherein the Word *POPE* is entirely obliterated; particularly, one in our Collection, *FABIAN's Chronicle*; in which, the Name of *POPE* is blotted out, by a Pen, throughout the whole Volume. It is probable the Booksellers durst not then sell a Book without this Alteration.

King Henry VIII. PUT ECCLESIAE ANGLICANÆ, or, the sole Head of the *English* Church; which, tho' it shocked many squeamish Consciences to swear to, yet, we find none of any Note, that had the Courage to refuse the Oath, except, *John Fisher*, Bishop of *Rochester*, and Sir *Thomas More*, late Lord Chancellor, who both lost their Heads for it.

A Subsidy.

Bishop *Burnet*, from the Parliament-Rolls, mentions an Act for a Subsidy, of a *Tenth* and a *Fifteenth*, to be paid in three Years, that was passed, also, this Session; no Grant, of that Kind, having been made of twelve Years before (a). The Preamble to which Act sets out the King's high Wisdom and Policy in most glaring Colours. It tells us, 'That he governed his Kingdom, for twenty-four Years, in great Wealth and Quietness; of the great Charges he had been at in the last War with *Scotland*; in fortifying *Calais*, and in the War with *Ireland*. That he intended to bring that wilful, wild, unreasonable and savage People to Order and Obedience. That he intended to build Forts on the Marches of *Scotland*, for the Security of this Nation; to amend the Haven at *Calais*, and to make a new one at *Dover*. By all which, they did perceive the entire Love and Zeal which the King bore to his People; and that he sought not their Wealth and Quietness, only for his own Time being a mortal Man, but did provide for it in all Time to come. Therefore, they thought, that of very Equity, Reason and good Conscience, they were bound to shew a like Correspondence of Zeal, Gratitude and Kindness.' In Return for this, a general Pardon was granted, with some Exceptions; particularly mentioning Bishop *Fisher* and Sir *Thomas More*.

Anno Regni 27,
1536.

After a Prorogation of fourteen Months, according to Bishop *Burnet* from the Records, the same Parliament met once more on the 4th of *February*, in the 27th Year of this King. A great many Laws, relating to Civil Concerns, were now made, as appears by the Book of Statutes. But the principal Act

(a) *Burnet's History of the Reformation*, Vol. I. Page 153.

Act, and for which this Session was, chiefly, called, King Henry VIII
 was That for the Suppression of the lesser Monasteries. How this Bill went through the two Houses we cannot learn from the *Journals*, for they are lost. But all the Historians of these Times, tell us, that the Report of these Monasteries made to the King was read in Parliament; which represented the Manners of these Houses so odiously, that the Act was easily carried. The Lesser Monasteries suppressed. The Preamble to this Statute runs thus,

‘ That small religious Houses, under the Number
 ‘ of twelve Persons, had been long and notoriously
 ‘ given to vicious and abominable Practices; and did
 ‘ much consume and waste the Churches Lands, and
 ‘ other Things belonging to them. That for a-
 ‘ bout two hundred Years, there had been many
 ‘ Visitations for reforming these Abuses, but with no
 ‘ Success, their vicious Living daily encreasing; so,
 ‘ that unless small Houses were dissolved, and the
 ‘ Religious put into greater Monasteries, there could
 ‘ be no Reformation expected in that Matter.
 ‘ Whereupon, the King having received a full In-
 ‘ formation of these Abuses, both by his Visitors and
 ‘ other credible Ways, and considering that there
 ‘ were divers great Monasteries, in which Religion
 ‘ was well kept and observed, which had not the full
 ‘ Number that they might and ought to receive, had
 ‘ made a full Declaration of the Premises in
 ‘ Parliament. Whereupon, it was enacted that all
 ‘ such Houses which might spend, yearly, 200 l, or
 ‘ within it, should be suppressed, their Revenues con-
 ‘ verted to better Uses, and they compelled to reform
 ‘ their Lives.’

The Episcopal Historian, to whom we are obliged for the above Extract (*b*), goes on and tells us, That the Reasons pretended for dissolving these Houses, were, That as there were but a small Number of Persons in them, they entered into Confederacies together, and their Poverty set them on to use many ill Arts to grow rich. They were, also, often absent, and kept no Manner of Discipline in their
 Houses,

H 2

(b) History of the Reformation Vol. I. pag. 193, &c.

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King Henry VIII. Houses, but their Estates were generally much richer than they seemed to be ; for the Abbots, raising great Fines out of them, held the Leases still low, and by that Means they were not obliged to entertain a greater Number in their House ; and so enriched themselves and their Brethren by the Fines. For many Houses, then rented at two hundred Pounds, were worth some Thousands. These were Part of the Reasons urged, in Parliament, for passing this Bill, and we are farther told that *Stokesley*, Bishop of *London*, said, in the House of Lords, ‘ That these lesser Houses were, as Thorns, soon plucked up, but the great Abbies were like putrified old Oaks ; yet, they must needs follow, as others would do in *Christendom* before many Years were passed (c).’

Bishop Fisher opposes it. Though this was a very harsh Sentence to come from the Mouth of a Bishop in those Days, yet, some time before, when this Affair was canvassed in Convocation, *Fisher*, Bishop of *Rochester*, opposed the Dissolution of these smaller Monasteries, with all his Might. He told his Brethren, That this was fairly shewing the King the Way how he might come at the greater ; which, he said, put him in Mind of a Fable.

‘ An Ax, which wanted a Handle, came upon a Time unto the Wood, making his Moan to the great Trees, that he wanted a Handle to work withal, and for that Cause he was constrained to sit idle ; therefore he made it his Request to them, that they would be pleased to grant him one of their small Saplings within the Wood to make him a Handle ; who mistrusting no Guile, granted him one of their smaller Trees to make him an Handle. But now, becoming a compleat Ax, he fell so to Work, within the same Wood, that, in Process of Time there was neither great nor small Tree to be found in the Place where the Wood stood. And so, my Lords, if you grant the

(c) HALL, Fol. CCXXVIII. BURNET *ut supra*.—And yet this Man was so zealous a Catholick, that Fox writes, he boasted on his Death-Bed he had burnt fifty Hereticks. *Acts and Monum.* Vol. II. Pag. 1025.

‘ the King these smaller Monasteries, you do but King Henry VIII.
 ‘ make him a Handle, whereby, at his own Pleasure,
 ‘ he may cut down all the Cedars within your *Li-*
 ‘ *banus*. And, then ye may thank yourselves, after
 ‘ you have encreased the heavy Displeasure of Al-
 ‘ mighty God for it (d).

The Prelate’s Speech, and the Application of this Parable, is said to have turned the Minds of those who sought to oblige the King ; and the whole Convocation of Bishops agreed to reject the Proposal for that Time. But, in a little while after, they were convinced of their Error, and all, except the Bishop of *Rocheſter*, voted in Parliament for it. And,

By another Act, all these Houses of Religion, their Churches, Lands, and all their Goods were given to the King, his Heirs and Successors ; together with all other Houses, which, within a Year before the making of the Act, had been dissolved and suppressed. For the collecting the Revenues that belonged to them, a new Court was erected, called the Court of the *Augmentations* of the King’s Revenue, which was to consist of a Chancellor, a Treasurer, an Attorney and Solicitor ; with ten Auditors, seventeen Receivers, a Clerk, an Usher, and a Messenger. This Court was to bring in the Revenues of such Houses as were now dissolved, excepting only such as the King, by his Letters Patent, continued in their former State : Appointing a Seal for this Court, with full Power and Authority to dispose of these Lands, so as might be most for the King’s Service. Their Revenues vested in the King ; and the Court of Augmentations erected.

Thus fell the lesser Abbies to the Number of 376, the yearly In-come of which yielded to the King about thirty or thirty-two thousand Pounds ; besides their Goods and Chattels, which at low Rates, were valued at 100,000 Pounds ; and the Number of Monks and Nuns, turned out of them, amounted to about 10,000 (e). The rest of the Acts passed this Ses-

H 3 fion,

(d) Dr. *Baillie’s* Life of Bishop *Fisher*, P. 108.

(e) *Hollingshead’s* Chron. Pag. 939. It is farther observed, that since the Statute gave the King all Sums of Moneys due to the Monasteries, it was but reasonable that the Debts owing by these Houses should

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King Henry VIII. sion are not to our Purpose ; and on the 4th of *A-*
pril, this Parliament, which had now subsisted above
 The Parliament, after six Years, six Years, and, as Bishop *Burnet* observes, had done
 Continuance, the King such eminent Service, was finally dissolved.
 dissolved.

Queen Ann Bo-
leyn executed for
High Treason.

Henry had now, almost, an unlimited Sway, both
 in Church and State, and seemed, in his domestic
 Affairs, to be very peaceable and content. His new
 Queen was fruitful, and likely to produce fair Issue
 from the old Stock. When, all of a sudden, she was
 accused of Incest, Adultery, and what not, with her
 own Brother and others ; who were all tried, con-
 demned and executed, in the *Tower*, on *May* 19th,
 1536. This Affair quite unhinged all the Acts of Settle-
 ment made in the last Parliament ; and *Henry*, as he
 had no Occasion to flight such Assemblies, they being
 throughout his whole Reign very complaisant to
 him in every Thing, soon after the Dissolution of
 the last, found himself obliged to call another, to meet
 at *Westminster*, on the 8th Day of *June*, in the said
 28th Year of his Reign. We shall not mention the
 Names of all the Peers summoned to this Parliament,
 but the Manner and Rank the Barons sat in the
 House, is preserved by *Dugdale*, and seems to de-
 serve a Place in these Enquiries.

A new Parlia- The Names of the Barons, as they entered and
ment called, sat in the Parliament in Order, in the 28th
Anno Regni 28, Year of the Reign of King *Henry VIII* (f).
1537.

<i>Lord William Weston</i> Grand Prior of <i>St. John's</i> . <i>George Lord Bergavenny</i> . <i>John Lord Audley</i> .	<i>William Lord Mountjoy</i> . <i>Henry Lord D'auubeny</i> . <i>Christopher</i> <i>Ld. Coniers</i> of <i>Hornby</i> .
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John

should be discharged. This was done, for the most Part, by the Com-
 missioners ; but where Relicts happened to be pawned, it seems, they
 refused to redeem them. Thus one Man lost 40 *l.* upon *St. Andrew's*
 Finger ; excepting one Ounce of Silver with which it was covered.
Ibid.

(f) *Summonitiones ad Parliamentum*, 28. *Henry VIII.* Pag. 500.
 The Summons to this Parliament, directed to *Thomas* Archbishop of
Canterbury, the rest of the Bishops, Abbots and Lay-Lords, as well as
 to the Judges ; High Sheriffs of Counties, Mayors, Bailiffs and Bur-
 gesses, &c. are given at length in the *Foed. Anglican.* Tom. XIV, Pag.
 365.

<i>John Lord Zouch.</i>	<i>Thomas Lord Darcey of King Henry VIII</i>
<i>Thomas Lord De la Ware.</i>	<i>Temple-Hurst.</i>
<i>Thomas Lord Berkley.</i>	<i>Lord Montegle.</i>
<i>Lord Montague.</i>	<i>Lord Vaux of Harradoun.</i>
<i>Lord Rochford.</i>	<i>John Lord Hufsey of</i>
<i>Henry Lord Morley.</i>	<i>Sleford.</i>
<i>Ld. Dacres of the South.</i>	<i>Andrew Lord Windsor of</i>
<i>Ld. Dacres of Graystock.</i>	<i>Stanwell.</i>
<i>Lord Cobham.</i>	<i>Lord Tailboys of Kyme.</i>
<i>Lord Maltravers.</i>	<i>Lord Wentworth.</i>
<i>Lord Talbot.</i>	<i>Lord Brough of Gains-</i>
<i>Lord Walter Ferrers.</i>	<i>borough.</i>
<i>Edward Lord Powis.</i>	<i>Edmond Lord Bray.</i>
<i>Lord Gray of Wilton.</i>	<i>John Lord Mordant.</i>
<i>Lord Scrope.</i>	<i>Lord Hungerford of</i>
<i>Lord Dudley.</i>	<i>Heytesbury.</i>
<i>Lord Latimer.</i>	<i>Thomas Lord Cromwell</i>
<i>William Lord Stourton.</i>	<i>of Wimbleton. Ad-</i>
<i>Lord Fitz-Warine.</i>	<i>mitted by Patent the</i>
<i>John Lord Berners.</i>	<i>last Day of this Par-</i>
<i>Lord Lumley.</i>	<i>ment.</i>
<i>George Lord Hastings.</i>	

The *Journal Book* now begins again, and is very particular in the Transactions of this Parliament (g); which being met, on the 8th of *June*, as aforesaid, the King on the Throne, and all the Lord and Commons attending, Sir *Thomas Audley* Knight, then Lord Chancellor of *England*, opened the Cause of the Summons in a Speech to this Effect :

Anno Regni 28,
1537.
At Westminster.

‘ First, he told them, that at the Dissolution of
‘ the last Parliament, it did not enter into the King’s
‘ Majesty’s Mind that he should so soon have Occa-
‘ sion to call another ; but, that for two especial
‘ Causes, very necessary, both for easing the King’s
‘ Scruples

The Lord Chan-
cellor’s Speech.

(g) The Preamble to the Parliament recites all the Kings Titles in this Manner ;

*Parlamentum inchoatum et tentum apud Westmonasterium, octavo Die Mensis Junii, Anno Regni metuendissimi et potentissimi Regis Henrici Octavi, Fidei Defensoris, Domini Hiberniæ, et in Terris Supremi Capit-
is Anglicanæ Ecclesiæ, vicesimo octavo.*

Osiano Tuke, Milite, et Edwarde North, Clericis Parliamenti.

King Henry VIII ‘ Scruples and conducive to the Good of the whole Kingdom, he had issued fresh Summons for calling this Parliament. The one was, concerning the Heirs and Successors of the King’s Majesty; who knowing himself obnoxious to Infirmities and even Death itself, a Thing very rare for Kings to think of; and, besides, considering the State of the whole Kingdom, depending, as it were, upon his single Life; but, willing, above all Things, to leave it free from all Dangers to Posterity, he had called this Parliament to appoint an Heir apparent to the Crown, who, when the present King had resigned to Fate without Children lawfully begotten, might by their own Consent happily reign over them.

‘ The second Cause, for which this present Parliament was summoned, was, for repealing a certain Act, made in the last, by the Tenor and Force of which, this whole Realm is bound to be obedient to the Lady *Ann Boleyn*, the King’s late Wife, and her Heirs, between them, lawfully begotten. Also, by the Force of the said Act, whoever should say or do any Ill against her or her Issue should be condemned for High Treason.

‘ But now, he said, that they may more rightly understand the Reasons of this Summons, his Countel was, according to these three Proverbs of *Solomon*, (to whom our most excellent Prince here may be most justly and worthily compared,) *operabimini quibus admonemur, præterita in Memoria habere, præsentia intueri, et obventura provideri*. And, as to the first, they very well remembered what great Anxieties and Perturbations of Mind their most invincible Sovereign suffered, on account of his first unlawful Marriage; which was not only judged so in all the Universities in *Christendom*, but declared unlawful by the general Consent of this Kingdom in a late Act of Parliament. So, also, they ought to bear in Mind the great Perils and Dangers their Prince was under, when he contracted his second Marriage, in regard to the Second of *Solomon’s* Proverbs, by considering

‘ in

in what a Situation this Realm was in by reason of the Oath then made and taken for the Support of the said *Ann* and her Issue. Which said Lady *Ann* and her Accomplices had been since, justly, found guilty of High Treason, and had received their due Reward for it. What Man of middle Condition would not this deter from marrying a third Time? When he remembers that the first was a vast Expence and great Trouble of Mind to him; and the second ran him into great and imminent Dangers, which hung over him during the whole Time of it. Yet, this our most excellent Prince, adds he, on the humble Petition of the Nobility, and not out of any carnal Lust or Affectation, again condescends to contract Matrimony; and hath, at this Time taken unto himself another Wife, whose Age, and fine Form, denotes her most fit and likely to bring forth Children. And, therefore according to the third Proverb of *Solomon*, *Obventura provideamus*, we are now met, by the King's Command, with unanimous Consent, to appoint an *Heir Apparent* to the Crown. That, if this our Prince, which God avert, should leave this mortal Life without Children lawfully begotten, the Heir, so appointed, may lawfully rule and govern this Kingdom after him.

Lastly, adds he, Let us humbly pray to God, that he would bless this our most excellent Prince with some Offspring; at the same Time giving him Thanks that he has hitherto preserved him from so many and such imminent Dangers. Because, it is his whole Study and Endeavour to rule us all, in perfect Peace and Charity during his Life; and to transmit the same Happiness to Posterity.

After the Chancellor had ended his Harangue, he in the King's Name, ordered the Commons to withdraw to their usual Place and chuse a Speaker; and present him to the King the Day following.

The Receivers and Tryers of Petitions being appointed, the next Day, being *Saturday*, the Chancellor acquainted the King and Lords that the Commons begg'd a longer Time for electing a Speaker.

Hereupon

King Henry VIII. Hereupon the King commanded that the House of Lords should be adjourned to *Monday Morning*.
 Richard Rich, Esq; Speaker. And, on that Day, the Commons presented to the King *Richard Rich*, Esq; for their Speaker; who immediately addressed himself to the Throne, in Words to this Effect:

‘ First, in the Name of the Commons, he told his Majesty that they well understood the Chancellor’s Reasons, which he gave on the first Day of the Meeting for calling this present Parliament; and repeated the Heads of the Chancellor’s Discourse. He then took Occasion to praise the King for his wonderfull Gifts of Grace and Nature; and compared him for Justice and Prudence to *Solomon*; for Strength and Fortitude to *Sampson*; and, for Beauty and Comeliness to *Abalom*. He then said, that according to the Chancellor’s Commands, the Commons had retired to their own House, in order to chuse a Speaker; and had actually chosen him, the most unworthy of them all, for that Honour. He therefore besought his Majesty that he would command the Commons to withdraw again to their own House, and elect another Speaker; for he had neither Learning, Experience, nor Boldness, fit for that Office; and therefore he was the least capable of any to undertake such an honourable Employment.’

To this the Chancellor, by the King’s Command, replied, ‘ That his Majesty had well heard his Speech; and was glad to understand by the first Part of it, that the Members of the House of Commons had been so attentive to the Chancellor’s Declaration, as they appeared to be. That as to the Praises and Virtues, ascribed to himself, his Majesty thought proper to disavow them; since, if he really had such Virtues, they were the Gifts of Almighty God only. Lastly, adds he, as to your Excuses, *Richard*, which the King hath heard, that you have neither Learning, Experience, nor Boldness, fit for such an Office; to this his Majesty hath commanded me to reply, that,

‘ that, if he did not know that you had all those King Henry VIII.
 ‘ Qualifications, he would not, amongst so many
 ‘ urgent Matters as are now depending, admit you
 ‘ into the Office; and therefore he does not look
 ‘ upon your Excuses as just.’ After which the said
Richard Rich, Esq; (*b*) made the usual Protestation,
 for Liberty of Speech, &c. which was allow’d
 of.

We have been more circumstantial than usual in
 giving the Preliminaries, at the Opening of this Par-
 lament, because it shews to what a Height Adula-
 tion was at that Time; when the Lord Chancel-
 lor and the Speaker of the House of Commons, in
 their Addresses to the Throne, strove to out-do
 one another in Flattery. Whatever Vices this
 King had, and to what Height soever he carried
 them, he could not outstrip his Parliament: For no
 sooner had he repudiated one Wife and married
 another, but the Parliament joined with him in
 bastardizing the Issue of the last; as was first done in
 the Case of Queen *Katharine*, and afterwards in *Ann*
Boleyn. And, now having got an effectual Di-
 vorce from the said *Ann*, he was married again Henry marries
 the Lady Jane
 Seymour.
 immediately to the Lady *Jane Seymour*, Daughter
 to Sir *John Seymour*, Knt. The whole last Act of
 Settlement was repealed by this Parliament, and
 poor Queen *Ann* now called worse Names than
 Queen *Katharine* had been before.

We shall not trouble the Reader with any Ab-
 stract from the Journals, concerning the bringing in
 of Bills, *de Die in Diem*, into the House, nor with
 the reading and passing them. Instead thereof, we
 shall subjoin Lord *Herbert*’s Extracts of the Statutes
 made by this Parliament; observing, only, that
 tho’ that noble Historian puts the Act of Succession
 first in his Account, yet it stands only the seventh
 in the *Statute Books* (*i*); and it was not till the
 13th Day of their Sitting that the Bill was brought
 into

(*b*) Afterwards for his good Services in the Cause, made Chancel-
 lor of the King’s new Court of Augmentations. *Journal-Book*, An-
 no 32. *Henry VIII.*

(*i*) There is only the Title of it in the *Statutes at Large*,
 28 *Henry VIII.* Cap. vii.

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King Henry VIII. into the House of Lords, by the Lord Chancellor. It is easily seen by some Expressions in the Act, very agreeable to the Speech at the Opening, who had the chief Hand in the penning and directing of it. Lord *Herbert* proceeds thus,

A new Act of Succession in her Favour.

‘ The principal Act made this Parliament, was touching the Succession of the Crown, in which after a Rehearsal of the Statute, 25 *Henry VIII.* 22. touching the King’s Marriage, and Limitation of Succession to the Crown; and another of 26 *Henry VIII.* 2. It is declared. that whereas a Marriage was heretofore solemnized betwixt the King’s Highness and the Lady *Ann Boleyn*, that since that Time, certain just, true and lawful Impediments of Marriage, unknown at the making of the said Acts, were confessed by the said Lady *Ann* before *Thomas* Lord Archbishop of *Canterbury*; by which it plainly appeareth, that the said Marriage betwixt his Highness and the said Lady *Ann* was never good nor consonant to the Laws: And therefore his Highness was lawfully divorced from the said Lady *Ann*. Moreover, that she and her Accomplices before-mentioned, were convicted by due Course of Law, and have suffer’d according to their Merits.

‘ And whereas it hath pleas’d his Highness, notwithstanding the great Perils suffer’d by occasion of his first unlawful Marriage betwixt the Lady *Katharine*, and this unlawful Marriage betwixt the Lady *Ann*, at the most humble Petition of his Nobles in this Realm, and for Conservation of the same, to enter into Marriage again with the Lady *Jane*, according to the Laws of the Church; and that there is Hope she may conceive by his Highness; that it is the most humble Petition of his Nobles and Commons, that, for Extinguishment of all Ambiguities and Doubts, it may be enacted in Manner and Form as followeth. And first, That the Marriage betwixt the King and Queen *Katharine* should be void and of no Effect; as being grounded on a Dispensation, in a Case not dispensable by humane Authority; and so determined by the whole Clergy, and both Universities of this Realm; as also by the Universities of *Bononia*, *Padoua*, *Paris*, *Orleans*,

Orleans, Tholouse, Anjou and divers others; in re- King Henry VIII.
gard, she being Wife to his elder Brother, Prince
Arthur, was carnally known by him, as was
sufficiently proved before *Thomas* Archbishop of
Canterbury; and therefore, that any Dispensa-
tion to the contrary hereof should be to all Intents
void, and of no Effect; and the Issue procreated
under the same unlawful Marriage, betwixt his
Highness and the said Lady *Katherine*, to be illegi-
timate, and barr'd from claiming any Inheritance
from his Highness by lineal Descent: Also that
the Marriage betwixt his Highness and Queen
Anne is of no Value, nor Effect; and that the
Divorce made between his Highness and her, is
good and effectual; and the Issue illegitimate and
not inheritable to his Highness, by a lineal Descent;
any former Act to the contrary notwithstanding.

‘ And furthermore, since many Inconveniencies
have fallen by marrying within Degrees prohibited
by God’s Law; (which Marriages yet have been
often dispensed with by some usurped Power; when
yet no Man hath Power to dispense with God’s
Law.) Therefore it was enacted, that if any were
married within the said Degrees, or took to Wife
the Sister or Daughter, &c. of her whom he had
before carnally known, he might and should be
separated by the definitive Sentence of the Archbi-
shops, and other Ministers of the Church of *Eng-
land*: And their said Sentence to be good and effec-
tual, without suing any Appeal to or from the
Court of *Rome*.

‘ Further, it was enacted, that the Issue betwixt
his Highness and Queen *Jane* should be his lawful
Children and Heirs, and inherit, according to the
Course of Inheritance of the Laws of this Realm,
the Imperial Crown of the same; with all Dignities,
Honours, Preheminences, Prerogatives, Autho-
rities, and Jurisdictions to the same annexed or
belonging.

‘ But if it should happen that Queen *Jane* should
decease without Issue Male of the Body of his
Highness to be begotten, then the same Imperial
Crown

King Henry VIII. Crown and all other the Premises to be to his Majesty, and to his Heirs Male by any other lawful Wife, and to the Heirs of the Body of the same Son and Heir Male lawfully begotten; and so from Son and Heir Male to Son and Heir Male, and to the Heirs of every such Son and Heir Male lawfully begotten according to the Course of Inheritance, as is abovesaid. And for Default of such Issue Male, then the said Imperial Crown and Premises should be to the Issue Female, betwixt his Majesty and Queen *Jane* begotten, and so again to the Issue Female by any other Wife in like Manner; that is to say, to the eldest Issue of the Issue Female and to the Heirs of her Body lawfully begotten; and so from Issue Female to Issue Female and to their Heirs of their Bodies, one after another by Course of Inheritance according to their Ages, as the Crown of *England* hath been accustomed and ought to succeed and go, in Case when there is Heir Female inheritable to the same. And so far as it stands in the only Will and Pleasure of Almighty God, whether his Highness shall have Heirs, and that if they fail, and no Provision be made in his Life who should govern this Realm, that then this Realm after his transitory Life should be destitute of a lawful Governor, or incumbered with such a Person that would covet to aspire to the same, that in this Case, his Highness might limit the Crown to any Person or Persons in Possession and Remainder by his Letters Patents under the great Seal; or else by his last Will signed with his Hand, after such Manner as should be expressed in his said Letters Patents; and that such Person and Persons should have and enjoy the same after his Decease, in as large and ample Manner as the lawful Heirs of his Body should have done.

The Issue of the Queens *Katherine* and *Ann* declared illegitimate.

After which, Order was taken to prevent Usurpation of the Crown; and the Penalty of High Treason impos'd on Usurpers, as on those also who believed either the Marriage of his Highness with the Lady *Katherine*, or the Lady *Ann*, to be good; and

and did call the Lady *Mary*, or the Lady *Elizabeth* King Henry VIII. legitimate, and who used certain Words and Actions tending to this Purpose: As is to be seen more largely in the said Statute.

‘Furthermore, it was enacted that if his Majesty should decease before any Heir Male of his Body, inheritable to the Crown of this Realm, should be of the Age of eighteen Years, or any Heir Female which should be inheritable as aforesaid, should be married, or be of the Age of sixteen Years, that then they, or any of them, shall be and remain until they came unto the said several Ages, at and in the Governance of their natural Mother, and such other his Counsellors and Nobles of his Realm, as his Highness should name and appoint by his last Will in Writing and signed with his Hand, as is aforesaid; and that an Oath should be administered for Performance of this Act, and the Penalty of High Treason inflicted on those that shall refuse it.

‘Furthermore, it was enacted, that the King should have Power by his Letters Patents or last Will as aforesaid, to advance any Person or Persons of his most Royal Blood to any Title, Style, or Name, of any Estate, Dignity or Honour, and to give to them or any of them any Castles, Honours, Lands, &c. in Fee-Simple, Fee-Tail, or for Term of Lives, or the Life of any of them, saving the Rights and Estates of all others in and to the same.

‘Finally, it was enacted, that every Clause, Article, and Sentence therein, should be taken and accepted according to the plain Words thereof. How yet this Act was altered 35 *Henry VIII.* 1. shall be declared by me, God willing, in this History; referring the Reader to 1 *Mary I.* when it was repeal’d.’

The noble Historian (*k*) here stops to moralize a Remarks on the little on the Conduct of this Parliament; particularly said Act. in regard to this Act of Succession. He says, he has

given

King Henry VIII. given a much larger Abstract from this Statute, than any before, that it may appear to the Reader with how high a Hand the King did authorize his Actions, whilst each Part of the Government justified the other. For, adds he, all the Subjects Voices being comprehended in the Parliament, no Man could accuse the King, who did not in some sort condemn himself. So, if there was no Reason for these two Divorces, the Chiefs of the Kingdom joined in the same Error with him. Unless, continues our Authority, some ill Arts with the Nobility, and some unfair Practices, in the Election of Knights and Burgesses, may be supposed; which, by what he had seen, there may be Cause to suspect in some; yet, to believe a general Corruption in the first Persons of the Kingdom, what is it else but to subvert the very Columns and Foundations of Laws?

That zealous Protestant, Mr. *Foxe*, in his Censures on the Conduct of this Parliament, in regard to this Act, and their Loading his Heroine Queen *Anne*, with such scandalous Aspersions, says, 'That he (1) cannot but wonder, why this Parliament should repeal and declare the same Marriage unlawful, which, they, themselves, but three Years before, had voted good and valid. But, he much more wonders why the said Parliament, not only pronounced the Invalidity of the Marriage; but, not content with that, would further proceed to charge the Lady with such carnal Desires of her Body, as to misuse herself with her own natural Brother, the Lord *Rochford*, and others. Which Thing, adds he, is so contrary to all Nature, that no Man of Reason can believe it. He, therefore, supposes that it was some hidden Trick of State, fomented and encouraged by the Papists; considering what a mighty Stop She was to their Proceedings, and a strong Bulwark for the Maintenance of *Christ's* true Religion. For which Reason he concludes, that this *Christian* and devout *Deborah* could want no Enemies amongst
such

(1) *Foxe's Acts and Monuments*, Vol. II, Pag. 922.

such a Number of *Philistines*, both within and King Henry VIII, without the Realm.'

Bishop *Burnet* (m) observes, that many questioned the Validity of this Act; and the *Scots* said, that the Succession to the Crown was not within the Parliament's Power to determine about it; but must go, by Inheritance to their King, if King *Henry* died without Issue. It had one good Effect, however, since it helped much to pacify the Emperor, when he heard that his Kinswoman, *Mary*, was, tho' not restored in Blood, yet, put in a Capacity to succeed to the Crown.

Dr. *Heylin* has made an Observation on a Clause in this Act, not so much as taken notice of by Lord *Herbert*, or copied by Bishop *Burnet*; but which, we think, deserves a particular Recital (n):

'*Henry* had one natural Son begotten of the Lady *Talbois*, much cherished by his Father; whom, at six Years of Age, he created Earl of *Nottingham*; and soon after Duke of *Richmond* and *Somerſet*, Earl-Marſhal of *England*, and Knight of the Garter. At sixteen Years old, he was made Lord High Admiral, in an Expedition against *France*; and a Match was concluded between this Youth and the Lady *Mary*, Daughter to *Thomas Howard* Duke of *Norfolk*, at that time the most powerful Subject in the Kingdom. Nor were these all the Favours his indulgent Father intended him; for the Crown itself was designed for him, in case of Failure of any other lawful Issue from the King. For, in the Act of Succession, now pass'd, that Clause which enables *Henry*, for want of such lawful Heirs, to dispose of the Crown by Letters Patents, or by Will, to any other Person or Persons, &c. was plainly designed in favour of this young Prince. But, all these Precautions were in vain; for the Duke died, at the Age of seventeen Years, a few Days after the ending of this Parliament, to the extraordinary Grief of his Father.'

VOL. III.

I

At

(m) Reformation, Vol. 1. Pag. 211.

(n) *Heylin's History of the Reformation*, Pag. 6.

King Henry VIII.

The Pope seeks
a Reconciliation
with the King,Which is reject-
ed.And an Act for
utterly abolishing
the Papal Power.

At this time a new Proposal came from *Rome*, for a Reconciliation between *Henry* and Holy Church. The Interval seemed very favourable to it, for Queen *Catherine* and *Anne* being both dead, who were the Occasion of the Rupture, the Court of *Rome* judg'd this a proper Opportunity to effect it. Accordingly, the Pope sent a Message to the King, to let him know, 'That he had ever favour-
'ed his Cause in his Predecessor's Time; and tho'
'he was forced to give out a Sentence against him,
'yet he had never any Intention to proceed upon
'it to further Extremities.'

How this Message was received, may be fully known by two Acts which the King procured to be immediately passed upon it, in this Parliament: By which all Hopes of a Reconciliation were entirely cut off between them. For a Bill was brought into the House of Lords, for, utterly, abolishing the usurped Authority of the Bishop of *Rome*, on the 4th Day of *July*, which soon after passed both Houses. The Preamble to which Act contains these severe Reflections:

'The Bishop of *Rome*, whom some call the Pope, who had long darkened God's Word, that it might serve his Pomp, Glory, Avarice, Ambition and Tyranny, both upon the Souls, Bodies and Goods of all *Christians*; excluding *Christ* out of the Rule of Men's Souls, and Princes out of their Dominions: And had exacted in *England* great Sums by Dreams, Vanities, and other superstitious Ways. Upon these Reasons his Usurpation had been by Law put down in this Nation; yet many of his Emisaries had been practising up and down the Kingdom, and persuading People to acknowledge his pretended Authority. Therefore, every Person so offending after the last Day of *July*, next to come, was to incur the Pains of a *Premunire*; and all Officers, both Civil and Ecclesiastical, were commanded to make Enquiry about such Offences, under severe Penalties.'

The other Blow made at the Pope, was by another Act, passed, that, 'Whereas the Popes had,
'during

‘ during their Usurpation, granted many Immunities, to several Bodies and Societies in *England*, which upon such Grants had been now long in Use : Therefore, all those Bulls, Breves, and every Thing depending on, or flowing from them were declared void and of no Force. Yet all Marriages celebrated by virtue of them, that were not otherwise contrary to the Law of God, were declared good in Law ; and all Consecrations of Bishops, by virtue of them, were confirmed. And, for the future, all who enjoyed any Privileges by Bulls, were to bring them into Chancery, or to such Persons as the King should appoint for that End. Moreover, the Archbishop of *Canterbury* was empowered to grant a-new the Effects contained in them, which Grant was to pass under the Great Seal, and to be of full Force in Law.’

King Henry VIII.

This Statute was a great Stroke at the Abbots, and their Rights ; but, they were glad to suffer a Diminution of their Greatness, rather than part with their All, which now lay at Stake.

Further Proceedings against the Clergy.

By the 13th Act they corrected an Abuse, which had crept in, to evade the Force of a Statute made in the 21st Year of this King, about Priests residing on their Livings. One Qualification that did excuse them from Residence, was, their staying at the University for compleating their Studies. Now it was found, that many dissolute Clergymen went and lived at the Universities, not for Study, but to be excused from serving their Cures. Therefore, it was enacted that none above the Age of Forty, who were not either Heads of Houses, or publick Readers, should have any Exemption of Residence, by virtue of that Clause in the former Act. And, all those under that Age should not have the Benefit of it, except they were present at Lectures, and performed their Exercises in the Schools.

There are no less than fifty-two Titles, in the *Journals* of the Acts passed this Session ; several of which refer to the Exchange of Lands between the King and others ; which Lands may be well presumed to be Part of the Possessions which belonged

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King Henry VIII. to the new dissolved Monasteries. The printed Book of Statutes mentions no more than eighteen Acts; the most remarkable of those that are omitted, are these:

An Act concerning the Assurance of a Jointure to Queen *Jane*.

Some Acts of Attainder pass'd. An Act of Attainder against *Thomas Fitzgerald*, of the Kingdom of *Ireland*, and five of his Uncles.

Another Act of Attainder of *Thomas Lord Howard*.

An Act expressing that all the Statutes which shall be made, during the Nonage of the King's Successors, shall be made void by them, if it shall seem convenient, when they come to full Age.

This last hath a Title in the printed Statute-Book, but, was such an extraordinary Stretch of the Prerogative, that it was thought proper to repeal it, in the very first Year of the next Reign. For by this it was provided, That whatsoever Acts were made, before his Successors were twenty-four Years of Age, they might, at any Time of their Lives after, repeal and annul by their Letters Patents; which should have equal Force with a Repeal by Act of Parliament.

An extraordinary Act for the Increase of the Prerogative.

The first of the Acts of Attainder was levelled against *Thomas Fitzgerald*, Son to the Earl of *Kildare*, who had raised a Rebellion in *Ireland*, murdered the Archbishop of *Dublin*, and forced the Citizens there to admit his Soldiers to besiege the Castle; he writ, also, to the Pope to make him King of *Ireland*. Being, at length, overpowered, he submitted; but was afterwards hang'd at *Tyburn*, with his five Uncles.

The next Act (o) to attain *Thomas Lord Howard*, was made upon a quite different Occasion. This Nobleman was the youngest Son to the late Duke of *Norfolk*, and Brother to the present Duke; and having an amorous Intrigue with the Lady *Margaret Douglas*, Daughter to the Queen of *Scots*, and King

(o) The Bill was brought into the House of Lords the last Day of this Parliament, by the Lord Chancellor, read thrice in one Day, and pass'd the same Day by the Commons.

Journal-Book, 28 HENRY VIII.

King *Henry's* Niece, had so far gained the young *King Henry VIII* Lady's Affection, that there was an actual Contract of Marriage between them. *Henry*, hearing of this, was much incensed, that a private Subject, as it were, should dare to think of marrying a Princess, who was half Sister to the King of *Scots*, and his own Niece; he therefore had him attainted, and committed them both to the Tower. There the said Lord *Howard* died, but the Lady was set at Liberty, and afterwards proved the Mother of the present Race of *Stuarts*. This Affair, however, produced an Act of Parliament, made this Session, which bears this Title:

' That it shall be High-Treason for any Man (p)
' to espouse, marry, or take to Wife any of the
' King's Children, being lawfully born, or other-
' ways commonly reputed for his Children; or
' any of the King's Sisters or Aunts, on the Part
' of the Father, or any of the lawful Children of
' the King's Brethren or Sisters; or to contract
' Matrimony with any of them without the King's
' Licence first had under the great Seal; or to de-
' flower any of them being married. The Woman
' so offending to incur the like Danger.' The Act
was repealed 1 *Edward VI.* and the first of *Queen Mary*; the Reasons for which will appear in the Sequel.

This Parliament having dispatched a great deal of Business in a very little Time, on *July* the 18th the King came to the House, in order to pass the Bills that were ready for the Royal Assent. And, the Speaker of the House of Commons made another Oration to him, as full of Flattery as the last. Only, as in the former, he compared the King to *Solomon*, *Sampson* and *Abisalom*, for Wisdom, Strength and Personage, he now likened him to the Sun. ' For, as the Sun, says he, exhales all the noxious
' Vapours which would otherways be hurtful to us,
' and by its Heat cherishes and brings forth those
' Seeds, Plants and Fruits, necessary for the Sup-
' port of human Life; so this our most excellent

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King Henry VIII. 'Prince takes away, by his Prudence, all those Enormities which may hereafter be any ways hurtful to us and our Posterity. And takes care to enact such Laws as will be a Defence to the Good, and a great Terror to evil Doers.'

The Parliament dissolv'd.

The Chancellor replied to this Harangue much in the same Words as to the former; and then, by the King's Command, he dissolved the Parliament: Exhorting the Members that they would all take care to observe the Laws then made, and see them observed by others.

Bishop *Burnet* remarks on the Proceedings of this Parliament, that it plainly appears that the King was absolute Master both of the Affections and Fears of his Subjects. When, in a new Parliament called on a sudden, and in a Session of six Weeks, from *June* the 8th to *July* the 18th, Acts of so great Importance were passed, without any Protest or publick Opposition (q).

But the great Work of a thorough Reformation was not yet compleated; that is, the larger Monasteries were not dissolved, whose Revenues the Lay-Courtiers were greedily gaping for. *Henry* had now got a fit Instrument for that Purpose, in the Person of *Thomas Cromwel*, a Blacksmith's Son of *Putney*; but, who, by his great Learning and Abilities, was first made Master of the Jewel-House, then Baron of *Okeham*, afterwards Earl of *Essex*, Lord Great Chamberlain, and Vicar-General over the Spiritualities. This Man being now Prime Minister, in his old Master Cardinal *Wolsey's* Place, persuaded the King, who was ready enough to comply, to pull down the larger Abbies and Monasteries; the smaller under the Value of 200*l.* a Year, having been suppressed before. And, tho' some Remonstrances were made to the contrary, that a few might be spared, as well for the Virtue of the Persons in them, as that the Country received great Benefit from them; the Poor receiving thence Relief, and the richer Sort Education for their Children; yet, says Lord *Herbert* (r), *Cromwel*, by the King's Permission, invaded

Cromwell proposes the Suppression of the Larger Abbies, &c.

(q) *BURNET's Reformation*, Vol. I. Pag. 212.

(r) *KENNET*, Vol. II, Pag. 217.

vaded all ; and, betwixt Threats, Gifts, Persuasions, King Henry VIII. Promises, and whatever else might make Men waver, he obtained of the Abbots, Priors, Abbesses, &c. that their Houses might be given up. But, an absolute Right to these Possessions was not warranted, yet, by Law ; and therefore Henry called a Parliament to establish it. They were summoned, by Writ, to meet at *Westminster*, on the 28th Day of April, in the 31st Year of this Reign. The first Writ of Summons is directed to Thomas Lord Cromwell, our Vicar-General in Spiritualities.

The *Journal-Book* begins this Parliament in a very solemn and pompous Manner ; for, after enumerating the King's Titles, it goes on thus:

Ad Laudem & Gloriam Dei Omnipotentis; Honorem, Decorem, Pacem, Quietem, Tranquilitatem, Securitatem & Reformationem totius Regni, Reipublicæ, & Ditionis Anglicanæ ; in Nomine sanctæ & individuæ Trinitatis, Patris & Filii & Spiritus Sancti, post Missarum Solemnia decenter ac devote celebrata, divino Auxilio humillime implorato & invocato, Die, videlicet Lunæ, viceffimo octavo Mensis Aprilis, &c.

Sir William Dugdale has preserved the Order of Procession made by the King and the Lords, from the Palace at *Westminster*, to the Abbey ; every Peer, both Spiritual and Temporal, in his Parliament-Robes, to hear the Mass of the *Holy Ghost*, in the Abbey Church aforesaid, &c. This, for the Rarity of it, merits a Place in these Enquiries ; as, also, a List of the whole House of Peers, at this Time ; since, it is the last we meet with, where the Spiritual and Temporal Lords, Abbots included, sat together in an *English* Parliament, or, in all human Probability, ever will do. The Procession was as follows (s) :

First, all Gentlemen and Esquires.

Knights and Bannerets.

Serjeants at the Law, and Justices.

Abbots, Bishops, and Archbishops.

The Lord Chamberlain of *England*, the Earl of *Sussex*.

The Lord Chancellour of *England*.

The

A new Parliament called at Westminster for that Purpose, Anno Regni 31. 1540.

Their Solemn Procession.

(s) DUGDALE'S SUMMONS TO PARLIAMENT. p. 507.

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King Henry VIII. The Lord Marshall of *England*, then Duke of *Norfolk*, with his Rod.

Garter before him in the King's Coat.

Then the King's Sword borne by the Earl of *Shrewsbury*.

The Cap of Maintenance borne by the Duke of *Suffolk*.

Then the King's Highness.

And after his Grace, all the other Estates ; as, Dukes, Marquesses, Earls, Viscounts, Barons, with others, after their Degrees in Order, two and two after their Antienties on Horseback, in their Robes, unto the King's lighting Place ; whereas the Abbot of *Westminster*, in *Pontificalibus*, with all the Chirche met the King. And from thence, in like Order, every Man to proceed on foot to the Quire, save the Earl of *Oxford* Lord Chamberlain of *England*, to bear his Grace's Trayne, assisted by the Vice-Chamberlain.

Sir *Anthony Wingfield*, for Default of my Lord Chamberlain, of the King's Household.

Note, That the King's Pleasure was, that Sir *Anthony Browne*, the Master of the Horse, to bear his Trayne to the Chirche ; and the Gentlemen of the Esquire about his Grace. And the Captain of the Guard after the Temporal Lords, the Guard following on each Side the Way.

And after that his Robes be off, in coming down from the Parliament-Chamber ; then the Dukes and Earls, Vice-Chamberlain and Master of the Horse, to come next his Grace.

And then the King's Grace sits in his Place Royal ; the Lords Spiritual on the North-side, and the Lords Temporal on the South-side ; save the Archbishop of *York*, the Bishop of *Durham*, and *Carleil*, on the Temporal Side.

And so Mass of the *Holy Ghost* to begin, executed by the Bishop of *Carleil*, assisted by two Abbots in *Pontificalibus*.

And, at the Gospel-Time, all the Lords Spiritual and Temporal to go out of the Quire, and place them in semblable Order of their Sides, as before betwene

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betwene the Gospel-Time; all the Spiritual Lords ^{King Henry VIII.} and Temporal to go out of the Quire, and place them in semblable Order of their Sides, as before, betwene the King's Travers and the Quire, save only such as attended on the King's Highness, at the Offering-Time; and so remayned in their sayd Places during the Mass; and then proceeded in like Order to the Parliament Chamber, whereas every Man was placed according to their Seates and Degrees, and there tarried during the King's Pleasure.

And so, all Things thus ordered, the Lord Chamberlain declared the Causes and Intent of their Assembly in the Parliament-Chamber.

Which done, the King's Highness, with all the other Lords, Spiritual and Temporal put off their Robes, and in like Order proceeded on Horseback, attending on the King's Highness, in Manner following :

First, Gentlemen, Esquyers, Knights.

Serjeants at the Law.

Judges.

The Comptroller and Treasurer of the King's House.

Abbots, Bishops, Barons.

Earls.

The Archbishops of *York* and *Canterbury*.

The Lord Chancelour, with the Lord Chamberlain of *England*.

Garter.

The Duke of *Suffolk*.

The Duke of *Norfolk*, Lord Marshall of *England*.

The Earle of *Shrewsbury* bearing the King's Sword.

Then the King's Highness, and about his Grace the Footmen, and eight Gentlemen of the Esquire.

Following next, Sir *Anthony Wingfield*, Vice-Chamberlain; and Sir *Anthony Browne*, Master of the King's Horse.

After whom all the King's Guard of each Side the Street, unto the Palace-Gate; whereas every Man lighted their Horses, and entered in like Order
after

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King Henry VIII. after their Degrees, save that the Dukes and Earls followed the King, two and two, attending to his Chamber; and then his Grace, with all others, went to Dinner.

The List of the King, Bishops, Abbots, and Lords, as they sat in the House together, stands in this Manner, in the *Journals* (a).

The KING.	<i>Ramsay.</i>
The Archbishop of Canterbury.	<i>Evesham.</i>
The Bishops of	<i>Peterborough.</i>
<i>London.</i>	<i>St John, Colchester.</i>
<i>Winchester.</i>	<i>Reading.</i>
<i>Exeter.</i>	<i>Malmsbury.</i>
<i>Lincoln.</i>	<i>Croyland.</i>
<i>Bath and Welles.</i>	<i>Selby.</i>
<i>Ely.</i>	<i>Thorney.</i>
<i>Bangor.</i>	<i>Winchcombe.</i>
<i>Litchfield and Coventry.</i>	<i>Waltham.</i>
<i>Salisbury.</i>	<i>Cirencester.</i>
<i>Worcester.</i>	<i>Tewsbury.</i>
<i>Rochester.</i>	The Archbishop of York.
<i>Norwich.</i>	Bishops of
<i>Chichester.</i>	<i>Durham.</i>
<i>St David's.</i>	<i>Carlisle.</i>
<i>St Asaph.</i>	Thomas Lord Audley,
<i>Landaff.</i>	of Walden, Chancellor of England.
The Abbots of	Thomas Duke of Norfolk,
<i>Westminster.</i>	Treasurer of England.
<i>St Albans.</i>	Charles Duke of Suffolk,
<i>St Edmundsbury.</i>	Steward of the Household.
<i>St Mary's, York.</i>	Thomas Marquess of Dorset.
<i>Glastenbury.</i>	
<i>Glocester.</i>	

John

(1) This List is compared with *Dugdale's*, but differs in some Names and Additions.

Dugdale's Summons to Parliament, p. 501.

(2) Besides these, the Abbots of *St Bennet of Hulm*, *Bardsey*, *Abingdon*, *Battail*, *Hide* by *Winchester*, *St Augustine* in *Canterbury*, and *Coventry*, had the same Privilege, but were probably given up before this Meeting; or the Abbots dead.

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John Earl of *Oxford*, *Great George Brooke* Lord *Cob-* King *Henry VIII*
Chamberlain of Eng- *ham.*
land. *Henry Fitz-Allan* Lord
William Earl of *Southamp-* *Maltrevers.*
ton, Lord High Admi- *Walter Devereux* Lord
ral of England. *Ferrers.*
William Earl of *Arundale.* *Edward Gray* Lord *Pow-*
Ralph Earl of *Westmore-* *is.*
land. *William* Lord *Gray*, of
Francis Earl of *Shrews-* *Wilton.*
bury. *Edward Fenys* Lord *Clin-*
Henry Earl of *Essex.* *ton.*
Edward Earl of *Derby.* *John* Lord *Scrope*, of *Bol-*
Henry Earl of *Worcester.* *ton.*
Thomas Earl of *Rutland.* *William* Lord *Stourton.*
Henry Earl of *Cumberland.* *John* Lord *Lumley.*
Robert Earl of *Sussex.* *John* *Nevile* Lord *Lati-*
George Earl of *Hunting-* *mer.*
don. *Charles* *Blount* Lord
John Earl of *Bath.* *Mountjoy.*
Edward Earl of *Hertford.* *Thomas* *Stanley* Lord
Henry Earl of *Bridgwater.* *Mounteagle.*
Arthur Viscount *Lisle.* *William* Lord *Sandys.*
John Lord *Russel*, Admi- Lord *Conyers.*
ral of England. *Thomas* Lord *Vaux.*
John *Touchet* Lord *Audley.* *Andrew* Lord *Windfor.*
John Lord *Zouch.* *Thomas* Lord *Wentworth.*
Thomas Lord *Delaware.* *Thomas* Lord *Brough.*
Henry *Parker* Lord *Mor-* *Edward* Lord *Gray.*
ley. *John* Lord *Mordaunt.*
Thomas *Fienes* Lord *Da-* *William* Lord *Hungerford.*
cre. *William* *Paulet* Lord *St*
William Lord *Dacre*, of *John.*
Gillesland. *William* Lord *Parre.*

The Lord Chancellor's Speech, at the Opening of this Parliament, is wholly omitted in the Journals; and there are only the Names of the Receivers and Tryers of Petitions to it. Nor is there any Mention of the Name of a Speaker to the House of Commons; but, by what will appear in the Sequel, from the same Authority, we put down Sir *Nicholas Hare*, Knight, as chosen for that Office.

On

King Henry VIII. On the 5th Day of *May*, the Lord Chancellor informed the House of Lords, 'That it was his Majesty's Desire, above all Things, that the Diversities of Opinions, concerning the *Christian* Religion, in this Kingdom, should be with all possible Expedition plucked up and extirpated. And therefore, since this Affair was of so extraordinary a Nature, that it could not well be determined in a short Time, considering their various Sentiments, by the whole House; the King thought it necessary, if it seemed good to them, that they should chuse a Committee of themselves, to examine into these different Opinions; and whatever they decreed, concerning them, might be with all convenient Speed communicated to the whole Parliament.' This was approved of by all; and with unanimous Consent, a Committee was chosen to examine these Opinions, the Names and Titles of whom were as follows:

<i>Thomas Lord Cromwell,</i>	<i>Bangor.</i>
Vicar General.	<i>Worcester.</i>
Abp of <i>Canterbury.</i>	Abp of <i>York.</i>
The Bishops of	Bishops of
<i>Bath and Wells.</i>	<i>Durham, and</i>
<i>Ely.</i>	<i>Carlisle.</i>

And it was ordered, that this Committee should have leave to absent themselves from the Service of the House, whilst they had these Affairs under Consideration. The same Day a Bill was brought into the House, by the Lord Chancellor, for the Appointment of Seats or Places, in that Assembly, for the King's chief Officers; viz. the King's Vicar-General in Spiritualities, the Lord Chancellor, Lord Treasurer, and others; that from henceforth there might be no more Dispute about them. Also, another Bill was brought in, by which Religious Persons, whose Monasteries were dissolved, might be enabled to inherit any Lands and Tenements which they were Heirs to.

On the 10th Day of *May*, the Vicar-General aforesaid, brought another Bill into the House, which was to attain certain Traitors, lately found guilty

guilty and condemned for High Treason. These ^{King Henry VIII.} were the late Marquess of *Exeter*, the late Lord *Montague*, *Edward Nevile*, and others, as the said Bill more fully expresses. It was read twice in the House that Day, and then delivered to the Clerk of Parliament to be engrossed on Parchment. After which, the Lord Treasurer, in the Absence of the Lord Chancellor, adjourn'd the House till the Day following.

At which Time, the aforesaid Bill being read a third Time, the Vicar-General stood up in the House, and shewed openly a certain Habit, made of White Silk, which was found by the Lord Admiral in the Linen-Wardrobe belonging to the Countess of *Salisbury*. On the fore Part of which Garment was embroder'd, the Arms alone of *England*, viz. Three Lions, surrounded with a Border of two different Flowers, called *Paunces* and *Marigolds*. On the back Part of it was the Device, which the Northern Rebels lately used in their Insurrection (x).

We must have Recourse to the History of these Times, for the Particularities relating to these two Affairs; and Lord *Herbert* (y) informs us, that *Thomas Courtney*, Marquess of *Exeter*, Son to *Catherine*, Daughter to *Edward IV.* and consequently Cousin German to *Henry*; *Henry Pool*, Lord *Montacute*; Sir *Edward Nevile*, Brother to the Lord *Abergavenny*; with Sir *Jeffrey Pool*, Knight; upon secret Information given by the latter, that the rest had a Design to promote and maintain one *Reginald Poole*, late Dean of *Exeter*, and now the King's Enemy beyond Sea, and to deprive the King of his Crown. The two Lords were tried for the Fact before their Peers, *Thomas Lord Audley*, for that Purpose, sitting as High Steward of *England*, and were

(x) On the Suppression of the lesser Monasteries, a Rebellion began first in *Lincolnshire*, but was soon quashed by the Duke of *Northfolk*. Afterwards it broke out again, in a more formidable Manner, in *Yorkshire* and the other Northern Counties. The Standard they bore before them was painted with the five Wounds of our Saviour, the Sign of the Sacrament, and JESUS written in the Midst; they called themselves the *Pilgrimage of Grace*.

Foxe's *Acts and Monuments*, Vol. II. p. 992.

(y) *Komar*, Vol. II, p. 216.

King Henry VIII. were both found guilty. Sir *Edward Neville*, Sir *Jeffrey Poole*, two Priests, and a Mariner, were also arraigned, found guilty, and Judgment given accordingly. The two Lords and *Neville* were beheaded; the two Priests and Mariner were hang'd and quarter'd at *Tyburn*; but Sir *Jeffrey*, the Informer, was pardoned.

The Marquess of Exeter, Countess of Salisbury, and others attainted and executed,

Margaret Countess of *Salisbury*, was Grand-Daughter to *George* Duke of *Clarence*, Brother to *Edward IV.* and Mother to Cardinal *Pool* aforesaid (z). This Lady, with *Gertrude*, Wife to the late Marquess of *Exeter*, Sir *Adrian Fortescue*, and Sir *Thomas Dingley*, Knight of *St John*, were, by the same Authority, attainted this Parliament; tho' there is no more said of this Affair in the *Journal-Book*, nor any Notice at all taken of it in the *Statutes at large*. Against the two Ladies it was alledged, that they were both Accomplices with the Marquess of *Exeter* and other Traitors. That certain Bulls from *Rome*, were found at *Cowdrey*, a Seat belonging to the Countess. That she kept a Correspondence with her Son the Cardinal; and that she forbid all her Tenants to have the New Testament in *English*, or any other Book the King had licensed, in their Houses. Against Cardinal *Pool* it was alledged, that he had conspired against the King with the Bishop of *Rome*, and had taken Preferment from him. For the other two, they were executed as Accomplices; the Countess's Death was not till two Years after, when she suffer'd it with an heroic Courage; disdainingly lay her Head down on the Block as a Traitor, but told the Executioner he might get it off as he could. Then shaking her Grey Head about every Way, for she was seventy-two Years old, the barbarous Fellow was forced to chop it off in a very horrid Manner. Her Son, the Cardinal, was far out of *Henry's* Reach; and tho' he earnestly required him to be given up by all those Princes that had received him into their Dominions, yet, he survived all *Henry's* Pursuits, and lived to make a great Figure in this Kingdom in a succeeding Reign.

The

The noble Historian owns, that both these Affairs ^{King Henry VIII.} are very dark, and that our Records lend us very little Light to illustrate them. So that what Reasons of State *Henry* might have to destroy two such near Relations, as the Marquiss and Countess were to him, must be still a Secret to all Posterity. This may be <sup>Remarks there-
on.</sup> a Reason why the Affair of the Countess was kept out of the Journals, &c. except the Pageantry of *Cromwell's* producing the Sur-Coat of Arms, in the House, which was but a poor Evidence, if they had no stronger, against her. Bishop *Burnet* observes

(a), That these, and other such Acts of Attainder, were of a strange and an unheard of Nature. That it is a Blemish never to be washed off, and which cannot be enough condemned; and was a Breach of the most sacred and unalterable Rules of Justice, never to be excused. Of this Way of attainting Persons in Custody without bringing them to a Trial, the Lord Chief Justice *Coke* thus writes, 'Although I question not the Power of the Parliament, for without Doubt the Attaindure stands good in Law, yet this I say of this Manner of Proceeding, *auserat Oblivio, si potest; si non, utrumque Silentium tegat.* For the more high and absolute the Jurisdiction of any Court is, the more just and honourable it ought to be in its Proceedings; in order to give Examples of Justice to inferior Courts (b).'

The French Writer (c) of *English* History tells us, That this Act met with great Opposition in the Parliament; many objecting, that to condemn Persons unheard, was a Breach of the most sacred and unalterable Rules of Justice. But, that *Cromwel*, having sent for the Judges, to his House, asked them, whether the Parliament had a Power to condemn Persons accused without a Hearing? The Judges answered, 'That it was a nice and a dangerous Question; that Equity, Justice, and all Sorts of Laws required that the accused should be heard; that however the Parliament being the supreme Court
' of

(a) *Burnet's History of the Reformation*, Vol. I. Pag. 359.

(b) *Coke's 4th Institute*, 37, 2.

(c) *Rapin*, Pag. 322.

King Henry VIII.

‘ of the Realm, from which there could be no Appeal, the Validity of their Sentences, of what Nature soever they were, could not be questioned.’ This, adds our Author, was, only, saying, in other Words, that the Parliament would therein commit an Injustice, for which they could not be called to Account. And, *Cromwell* having reported the Judges Opinions to the two Houses, these two Ladies of the Blood Royal, were condemned to die ; by a Sentence, which established a Precedent, the most pernicious that had ever been known in *England* ; and which proved fatal to its Author, in the Sequel. But, to proceed with our Journal.

On *Tuesday* the 13th Day of *May*, and the 9th Day of the Sitting of this Parliament, the fatal Bill, for the Fall of Abbies, Monasteries, &c. was brought into the House of Peers, by the Lord Chancellor *Audley*. The Title of the Bill was, ‘ Concerning the Establishment to the King’s Majesty, his Heirs and Successors, of all Manner of Abbies, Pories, Monasteries, &c. which had come into the King’s Hands, by reason of the Suppression, Reduction, and final Dissolution of them, on the 4th Day of *February*, Anno Regni 27.’ This Bill was ordered to be read a first Time in the House ; and then because that the next Day the Clergy were to attend the Convocation, and the Day following was *Ascension-Day*, the Chancellor adjourned the Parliament to *Friday*, at Eight o’Clock in the Morning ; the usual Time fixed for their Meetings in those Days.

This is the Title which the *Journal Book* gives ; but the Act itself is more explicate, and expresses ‘ That Leases of Manors, belonging to Monasteries dissolved or to be dissolved, and assured to the King, shall take Effect. That the King shall hold, possess and enjoy, to him, his Heirs and Successors for ever, all Monasteries, and Abbacies, Pories, Nunneries, Colleges, Hospitals, Houses of Friars, or other Religious and Ecclesiastical Houses and Places ; which since the 4th of *February*, 27th *Henry VIII.* have been dissolved, suppressed, re-nounced,

‘nounced, forfeited, or given up, or by any other ^{King Henry VIII} means come to his Highness; or which shall be dissolved, &c. As, also, all Manors, Lordships, Lands, Tenements, Rights, Liberties, &c. belonging to them. All which, except such as came by Attaindure of Treason, shall be under the Survey and Government of the King’s Court of *Augmentation* of the Revenues of the Crown. Other Men’s Titles yet saved.’

Thus fell the Monastical Priesthood in *England*. The Number of Monasteries dissolved, according to *Speed, Stow* and *Cambden*, amounted to six hundred forty-five; amongst which, seven and twenty had Votes and sat in the House of Lords, as Mitred Abbots. Of Colleges, were demolished, in divers Shires, ninety. Of Chantries and free Chapels some Time after, 2374. And of Hospitals, 110. The yearly Income of all amounting to 160,000 Pounds; being above a third Part of all the spiritual Revenues in the Kingdom. This, added to the almost immense Sums the King must make of all their present Stock of Cattle and Corn, Timber, Lead, Bells, &c. but, chiefly, of their Plate, Jewels, and Church-Ornaments, of which are still extant divers rich Inventories, must be incredible. This Rapine upon the Church, as the Clergy had but too much Reason to call it, with the miserable Ruin of themselves and Houses, was divulged abroad, in such Terms, says Lord *Herbert*, as astonished the whole Christian World. For, tho’ the excessive Number of them, adds he, excused the King in some Part, for the first Suppression, this latter had no such specious Pretext. So that, notwithstanding the King’s Necessities, no little Occasion of Slander and Obloquy was given by these violent Proceedings (*d*).

It may be observed by those who will take the Pains to peruse this Act, that it was drawn with great Care and Circumspection; to take off all Suspicion of hard Usage and forc’d Surrenders. To make it pass the better, a Prospect of vast Advantage was opened to the Subject. The Nobility were pro-

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misled

(*d*) Kennet, Vol. II. Pag. 218.

King Henry VIII. misd large Shares in the Spoils, as one Author (e) terms it; they had a View to, either, Free Gifts, easy Purchases, or very advantageous Exchanges. The Gentry were promised a very considerable Rise both in Honour and Estate. Nor were they disappointed in their Expectations, for no small Part of the Abby-Lands were granted to them before the Sitting of this Parliament. This was done by the then Prime Minister *Cromwel*; he told the King that the parcelling these Lands out to a great many Proprietors, was the only Way to clinch the Business; and make the Settlement irrevocable. And such it has hitherto proved; for, it may even now be observed, that most of those Families who are, at present, possessed of the greatest Share of Abby-Lands, shew the greatest Aversion to Popery, or any Thing that may, in the least, tend towards a Restitution of them. To conclude this Digression, take what Lord *Coke* hath left us, concerning the Minister's Intrigues to bring about this great Affair, in his own Words (f):

' On the King's Behalf, saith this learned Gentleman, the Members of both Houses were informed in Parliament, That no King or Kingdom were safe, but where the King had three Abilities. First, To live of his own, and able to defend his Kingdoms upon any sudden Invasion or Insurrection. Secondly, To aid his Confederates, otherways they would never assist him. Thirdly, to reward his well-deserving Servants. Now the Project was, if the Parliament would give unto him all the Abbies, Priories, Frieries, Nunneries, and other Monasteries; that, for ever in Time then to come, he would take Order, that the same should not be converted to private Use. But, First, That his *Exchequer*, for the Purposes aforesaid, should be enriched. Secondly, The Kingdom be strengthened by the Maintenance of Forty Thousand well train'd Soldiers, with skillful Captains and

(e) Dugdale's *Warwickshire*, Pag. 800.

(f) *Coke's 4 Institute*. Fol. 44.

‘ and Commanders. Thirdly, For the Benefit and
 ‘ Ease of the Subject, who never afterwards (as was King Henry VIII.
 ‘ projected) in any Time to come, should be charg’d
 ‘ with Subsidies, Fifteenths, Loans, or other com-
 ‘ mon Aids. Fourthly, Lest the Honour of the
 ‘ Realm should receive any Diminution of it,
 ‘ by the Dissolution of the said Monasteries, there
 ‘ being Twenty-nine Lords of Parliament of the
 ‘ Abbots and Priors (that held of the King *per Baro-
 ‘ niam*) that the King would create a Number of
 ‘ Nobles. The said Monasteries, were given to the
 ‘ King by the Authority of divers Acts of Parlia-
 ‘ ment; but no Provision was therein made for the
 ‘ said Project, or any Part thereof; only *ad facien-
 ‘ dum populum*, these Possessions were given to the
 ‘ King, his Heirs and Successors, to do and use there-
 ‘ with his and their own Wills, *to the Pleasure of
 ‘ Almighty God, and the Honour and Profit of the
 ‘ Realm.*

‘ Now observe the Catastrophe. In the same
 ‘ Parliament of 32. H. 8. when the great and opu-
 ‘ lent Priory of *St. John’s of Jerusalem* was given to
 ‘ the King, he demanded, and had, a Subsidy both of
 ‘ the *Laitie* and *Clergy*; and the like he had in 34 H.
 ‘ 8. and in 37 H. 8. he had another Subsidy. And
 ‘ since the Dissolution of the aforesaid Monasteries,
 ‘ he exacted great Loans, and against Law received
 ‘ the same.’

May 16th, the Duke of *Norfolk* reported from the A Report from
 the Committee
 of Religion.
 Committee, appointed to examine into the different
 Opinions in Religion, which were then started up
 in this Kingdom; that they had made no Progress
 therein, because they were not in one Mind them-
 selves; which some of the Lords had objected to
 when they were first named. Therefore, he thought
 it was best, that the Six following Articles should
 be put to the Examination of the whole Parliament;
 and each Man to give his Opinion freely about them.
 By which Means, adds he, an Union in these Mat-
 ters might be come at, and finally determined. And,
 that for the better Obiervance of the aforesaid De-
 termination, some Penal Statute ought to be enact-

King Henry VIII. ed, against those that any ways infringe or violate them in any Particular. The Six Articles to be examined into, are these;

I. Whether the Sacrament be the real Body of our Lord, without Transubstantion (a)?

II. Whether the Sacrament may be given to the Laity in both Kinds?

III. Whether Vows of Chastity, made by Men or Women, ought to be observed, *Jure divino*?

IV. Whether private Masses ought to be kept by the same Law?

V. Whether Priests ought to marry on the same Authority?

VI. Whether auricular Confession be necessary, *Jure divino*?

These knotty Points of Divinity being laid before the whole House, to be debated on, it took some Time before they could come to a Determination of them. For May 30th, after a short Prorogation, we are told in the *Journals*, that the Lord Chancellor declared before the Lords, 'That not only the Bishops and other spiritual Peers, but even the King's Majesty had taken great Pains and labour-
' ed incessantly to bring about an Union in the foregoing Articles, and had, at last, compleated it. It
' was, therefore, his Majesty's Pleasure, that some Penal Statute should be enacted, to compel all his
' Subjects, who were any ways Dissenters or Contradictors of these Articles, to obey them. But the
' Form of a Statute for punishing such Offenders he
' left to their Determination.' It was therefore agreed on, by the whole House, That two Committees should be appointed for that Purpose. The Archbishop of *Canterbury*, the Bishops of *Ely* and *St. Asaph*, with Dr. *Petre* (b), were ordered to dictate and compose one Form of an Act for punishing such Offenders; and the Archbishop of *York*, the Bishops of *Durham* and *Winchester*, with Dr. *Tregonnel* (b), to draw up another. Which two Forms, so composed,

(g) *Absque Transubstantione.* JOURN. PROCER.

(b) Both Masters in Chancery. *Burns.*

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posed, were to be presented to the King's Majesty, ^{King Henry VIII.} on the *Sunday* following; which was only two Days Notice.

But, it was not 'till the 7th of *June*, that this *Bloody Bill*, as the Protestant Writers justly term it, was brought into the House, by the Lord Chancellor, and read the first Time. The Title is, 'A Bill concerning the Punishment of those Persons, who either violate or infringe the Articles aforesaid.' The Bill was read, a Second and a Third Time, on the two Days following; and then delivered to the King's Attorney and Solicitor-General, to be carried down to the House of Commons; where an Amendment was made to the Bill by them. This was again read and approved of by the Lords, so that the Bill passed both Houses, on the 16th Day of *June* following; and, amongst others, had the Royal Assent on the last Day of this Session.

The Six Articles, contained in this Statute, and which were founded on the Six foregoing Questions, proposed by the Lord Treasurer; are these (i):

' I. *If any Person by Word, Writing, Printing, Cyphering, or any otherwise do preach, teach, dispute, or hold Opinion, that in the blessed Sacrament of the Altar, under Form of Bread and Wine (after the Consecration thereof) there is not present really the natural Body and Blood of our Saviour, Jesus Christ, conceived by the Virgin Mary; or that after the said Consecration there remaineth any Substance of Bread and Wine, or any other Substance but the Substance of Christ, God and Man; or that in the Flesh under Form of Bread, is not the very Blood of Christ; or that with the Blood, under the Form of Wine, is not the very Flesh of Christ as well apart, as though they were both together; or affirm the said Sacrament to be of other Substance than is aforesaid, or deprave the said blessed Sacrament: Then he shall be adjudged an Heretick, and suffer Death by Burning, and shall forfeit to the King all his Lands, Tenements, Hereditaments, Goods and Chattles, as in case of High Treason.*

In consequence whereof, six Articles are established, and those who infringe them to be burnt.

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' II.

(i) Statutes at large 31. HENRY VIII. Cap. XIV. KENNET Vol. II. Pag. 219.

King Henry VIII.

‘ II. And if any Person preach in any Sermon, or Collation openly made, or teach in any common School or Congregation, or obstinately affirm or defend, that the Communion of the blessed Sacrament in both Kinds is necessary for the Health of Mans Soul, or ought or should be ministred in both Kinds : Or that it is necessary to be received by any Person, other than Priests, being at Mass and consecrating the same.

‘ III. Or that any Man, after the Order of Priesthood received, may marry, or contract Matrimony.

‘ IV. Or that any Man or Woman which advisedly hath vowed or professed, or should vow or profess Chastity or Widow-hood, may marry or contract Marriage.

‘ V. Or that private Masses be not lawful, or not laudable, or should not be used, or be not agreeable to the Laws of God.

‘ VI. Or that Auricular Confession is not expedient and necessary to be used in the Church of God, he shall be adjudged to suffer Death, and forfeit Land and Goods as a Felon.

‘ If any Priest, or other Man or Woman which advisedly hath vowed Chastity or Widow-hood, do actually marry or contract Matrimony with another ; or any Man which is, or hath been a Priest, do carnally use any Woman to whom he is or hath been married, or with whom he hath contracted Matrimony ; or openly be conversant or familiar with any such Woman, both the Man and the Woman shall be adjudged Felons. Commissions also shall be awarded to the Bishop of the Diocese, his Chancellor, Commissary, and others, to enquire of the Heresies, Felonies, and Offences aforesaid. And also Justices of Peace in their Sessions, and every Steward, Under-Steward, and Deputy-Steward in their Leet or Law-Day, by the Oaths of twelve Men, have Authority to enquire of all the Heresies, Felonies, and Offences aforesaid.’

We are told (k) that great Striving and Struggling was in the House about passing this Bill. Beside the Archbishop of Canterbury, other Divines and Lawyers argued well against it, it appearing, as they urged,

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(k) STAYNE'S *Memorials*, Vol. I. Pag. 352.

to be not only against Truth, but against common Justice. And, that had not the King come himself in Person into the Parliament-House, it would not have passed. King Henry VIII.

Lord *Herbert* informs us, That *Cranmer*, Archbishop of *Canterbury*, boldly opposed these Articles passing into a Law, for three Days together; we suppose on the three Times reading the Bill in the House of Lords. And, another Writer says, That when it came to be passed, the King desired *Cranmer* to be out of the House that Day, since he could not give his Consent to it; but that he humbly excused himself, for he thought he was obliged to stay and vote against it (l). What Arguments he used are not known; but, adds our Author, the King was not displeased with the Prelate's Plainness, as knowing all he said was out of a sincere Intention. Though some thought he had a particular Interest in his Opposition to the third Article, by reason of his *Wife*; whom he had married about seven Years before in *Germany*; and for fear of this Statute had sent, or was about to send, her back to her Friends in that Country (m). In the *Journal Book*, 24th of *June*, we find a *Memorandum* of an Order made that Day, for enlarging the Time allowed for Priests putting away their Wives they had married; which, according to the Statute, was to take Place on the Feast of *St. John the Baptist*, which was that very Day, but it was now prolonged to the 12th Day of *July*, following. And, the Dates in the Bill were ordered to be altered accordingly. This seems to be a Compliment paid to Mrs. *Cranmer*; that she might have more Time to pack up her Effects, and prepare for so long a Journey (n).

Amongst

(l) *Foxe*, Vol. II. 1037.

(m) She was Sister to *Hoflander*, a Protestant Divine at *Noremberg* in *Germany*. *Kennet*, Vol. II. Pag. 219.

(n) There is a Story that the Duke of *Norfolk* meeting one of his Chaplains, who was a Favourer of the Reformation, soon after passing this Act, said to him, Now, Sir, what think you of the Law, to binder Priests to have Wives? Yes, my Lord, replies the Chaplain, we have done that; but I will answer for it, You cannot binder other Men from having Priests.

King Henry VIII.

Other Acts of
this Parliament.The King erects
six new Bishop-
ricks out of the
dissolv'd Mona-
stries.

Amongst the rest of the Statutes that were enacted this Parliament, these are also remarkable (a).

‘ That Religious Persons, who were put out of Monasteries, &c. might purchase Lands, sue or be sued, but not claim any Inheritance as descending to them. And, that if they made a Vow of Chastity, after one and twenty, they should not marry.’ But, says Lord *Herbert*, tho’ this Act enabled them to buy, they thought it no sufficient Amends for the Loss of their present Maintenance.

‘ That the King, by the Advice of his Council, or the major Part of them, might put forth Proclamations, under such Pains and Penalties as to him or them may seem necessary ; which shall be observed as if they had been made by Act of Parliament. But, that this should not be prejudicial to the Inheritance of any Persons, their Offices, Liberties, Goods, Chattels, or Life.

‘ That the King might nominate and appoint, what Number of Bishops, Sees for Bishops, Cathedral Churches, as he pleased, and also endow them with Possessions.’ On the Strength of this Act the King erected six new Bishopricks, *viz.* at *Westminster, Oxford, Peterborough, Bristol, Chester, and Gloucester* ; and endowed them with the Revenues taken from dissolved Monasteries. All these, except the first, are in Being at this Day ; and make some Attonement for his other more violent Depredations.

The Preamble to this Act runs thus : ‘ That it was well known what slothful and ungodly Lives had been led, by those who were called Religious. But, that these Houses might be converted to better Uses ; that God’s Word might be better set forth ; Children brought up in Learning ; Clerks nourished in the Universities ; that old decayed Servants might have Livings ; poor People might have Alms Houses to maintain them ; Readers of *Hebrew, Greek, and Latin*, might have good Stipends ; daily Alms might be ministred ; that Allowance might be made for mending of the High
‘ Ways.

(a) See Statutes at large, 31 Henry VIII.

‘ Ways; and Exhibitions for Ministers of the Church. For these Ends, and if the King thought fit to have more Bishopricks, or Cathedral Churches, erected out of the Rents of these Houses, full Power was given him to erect and found them; and to make Rules and Statutes for them, and such Translations of Sees or Divisions of them as he thought fit.’ King Henry VIII.

The Prelate (p) remarks, that this Preamble and most material Parts were drawn by the King himself; the first Draught of it, of his own Hand-Writing, being yet extant; and in the same Paper is a List of the Sees which he intended to found. But, what was done was so far short of what was there designed, that *Burnet* can ascribe no Reason for it, but the declining of *Cranmer’s* Interest at Court.

Another Act was made, ‘ For settling the Places of the Peers in Parliament;’ a Thing which had been much controverted in former Reigns. By which *Cromwell*, the King’s Vicar-General, tho’ a Lock or Black-Smith’s Son, had the Precedence of all Persons, except the Royal Family.

Some more Acts were made, for the Exchange of Abbey-Lands; whereby it appears, as Lord *Herbert* observes, that it was the King’s Intention to unite all those Lands, &c. to the Crown.

Nor, was the Parliament wholly intent on these higher Matters, but lent some of their Thoughts on the Preservation of Fish and Fowl. Two Acts were made for that Purpose, ‘ whereby it was made Felony to fish with Nets, &c. in the Night, or to break any Pond-Head, in order to take them; and three Months Imprisonment for those who fished in the Day-time in any Man’s Liberties without Leave.’ Also, it was enacted, ‘ That it should be Felony to take in the King’s Manors, any Egg or Bird of any Falcon, Goshawk or Laner, out of the Nest; or to find or take up any Falcon, *Fersfalcon*, *Ferkin*, *Sacer*, or *Sacerite*, *Goshawke*, *Laner*, or *Lanerite* of the King’s

King Henry VIII, 'King's, having on the King's Arms and Ver-
viles, and do not bring them to the King's Falco-
ner within twelve Days, &c.' This is no farther
remarkable, than for giving the different Names and
Species of these Birds of Prey, used in that, truly
Royal, Diversion of Hawking, in those Days.

We shall now draw to a Conclusion of this Ses-
sion; which, tho' not long, yet there was *multum*
in parvo Tempore, done in it. It is observable,
that no Subsidies were either demanded or granted in
this or some preceeding Parliaments. It may well
be supposed, that the Spoil of the Monasteries, &c.
had so sufficiently filled the King's Coffers, that he
had no Occasion for any farther Supply. But yet
we find, in the *Journal Book*, that a Motion was now
made in the House of Lords, by the Lord Treasur-
er, very much tending that Way. We are there
told, That on the 20th Day of *May*, and, only, the
12th Day of the Session, the Duke of *Norfolk* de-
clared to the House, 'That the King had taken
' great Pains, and been at vast Expence in the Go-
' vernment and Reformation of this Kingdom.
' Which Labour and Charge it behoved every
' Member there to consider of, and to allow a pro-
' per Recompence. And, since, by reason of the
' Shortness of Time, this could not be then effected;
' his Opinion was, that one of the Temporal and
' one of the Spiritual Lords, should be, by general
' Consent, appointed to wait upon his Majesty, and
' humbly beseech him that he would please to pro-
' rogue this Parliament, and not dissolve it; that,
' at the next Session, they might again take into
' Consideration the Expence aforesaid.' The Lord
Chancellor, by the Assent of all, was alone deputed
to go to the King with this Message; who returned
and said, His Majesty would be at the House the
next Day, in order to grant their Request; which
was done accordingly.

June the 28th, the King came to the House, in
order to pass the Bills, and to put an End to this Ses-
sion of Parliament. At which Time Sir *Nicholas*
Hare, Speaker of the House of Commons, addressed
his

his Majesty in an elegant and learned Speech, says *King Henry VIII.* our Authority ; and, finally, humbly besought him, that he would give the Royal Assent to the Bills that were ready for that Purpose. Which, being all read and assented to, the Lord Chancellor, Sir *Thomas Audley*, prorogued the Parliament, from that Day, to the third of *November* following.

Mr. *Rapin* remarks, ' That never did Parliaments coincide with their King's Affections and Inclinations, so much as this did. For, as in the last Session, they gave a clear Evidence that they minded less what was just and equitable, in the Act of Succession, than what would please the King ; so, in this, they were not only insatiable in approving whatever the King then did, but whatever he might do for the future. The Act, adds our Author, that the same Obedience should be paid to the King's Proclamations, or to the Orders of his Council, during a Minority, as to the Acts of Parliament, was giving the Sovereign, almost, a despotic Power. It was pretended, that Cases might happen when the King had no Time to call a Parliament ; and yet it was necessary, for the Good of the Realm, that his Orders should be executed, otherwise there might be Danger of falling into great Inconveniences. Thus, to avoid a possible, but withal an uncommon Inconvenience, another much more considerable was run into. For, if the King's Orders were to be obeyed without Concurrence of Parliament, he had no Occasion to call one, if he did not think proper to do it. It is true, adds our Author, there were some Limitations in this Act, as, That no Person should be deprived of Life or Estate by virtue of the King's Proclamation, nor any Laws or Custom broken or subverted thereby. But, these Restrictions were so ambiguously worded, that it was easy for the King to evade them. And, upon this Act was grounded the great Change in Religion, which happened in the Non-age of his Son and Successor.'

The Act with the six Articles, then called *the Last with six Stings*, being now published, it caused much Murmur and Apprehension in the new Reformers;

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King Henry VIII. formers; and yet this Law was not used with much Rigour 'till after the Death of *Cromwell*; tho' it evidently shews that the King and Parliament had a greater Desire to engross the Riches of the Church, than to set about reforming any Errors, or Tenets, which had crept into the Romish Religion. Two Bishops, however, out of the whole Bench, had Conscience enough to resign their Bishopricks rather than conform to the Articles. These were *Latimer*, Bishop of *Worcester*, and *Shaxton*, Bishop of *Salisbury*; who, by this Means, shewed themselves as conscientious, about Religion, as Sir *Thomas More* and Bishop *Fisher* had been scrupulous about the *Supremacy*.

Two Bishops resign rather than conform to the six Articles.

Queen Jane dies, and Henry marries the Lady Ann of Cleve.

King Henry had been made once more a Widower, without the Help of an Executioner, by the Death of Queen *Jane*; who, after being delivered of a Son, called *Edward*, October 12th 1537, died in Child-Bed, and was buried at *Windsor*. Henry, was now in no Haste to marry again, but continued in a State of Widowhood more than two Years; and his Age and Corpulency might well have secured him from any Attempts of that Kind for the future. But, a foreign Match being proposed to him, with the Lady *Ann of Cleve*, Sister to *John* the Duke of that Name; Policy, and his own Interest abroad, drew him in to accept of it. But, disliking this Lady, on her Landing, tho' Henry forced himself to marry her, yet he would never consummate with her, and sought all Means possible for another Divorce.

Thomas Lord *Cromwell*, the Prime Minister, first fell into Disgrace about this Match; having been the principal Person who advised the King to it. For, tho' he was now raised to the Height of his Honour and Power, having been created Earl of *Essex*, and made Lord Great Chamberlain to the King; yet, he was soon after cast down from this Pinnacle of Glory, being arrested at the Council-Table. by the Duke of *Norfolk*, when he least suspected it, and sent Prisoner to the *Tower*.

But,

But, before this happened, the Parliament met again at the Time appointed by the Prorogation ; by a Commission under the Broad Seal, directed to *Thomas Lord Audley of Walden*, Lord High Chancellor of England, *Thomas Duke of Norfolk* Lord Treasurer, *Charles Duke of Suffolk* Lord President of the Council, and to his faithful Counsellor *Thomas Lord Cromwell*, Lord-Keeper of the Privy Seal ; also, to *John Earl of Oxford*, Great Chamberlain, and *William Earl of Southampton*, Lord High Admiral of England ; they were impowered to prorogue the present Parliament, from the aforesaid third Day of November, in the 31st Year of this King, to the 14th Day of January next following. The Commission is, at large, in the *Journals* ; but it is no farther necessary here. For, on the said 14th of January, by another Commission, directed as above, except that *Robert Earl of Suffex*, *Edward Earl of Hertford*, with *Cuthbert Bishop of Durham*, are added ; the Parliament was again prorogued to the 12th Day of April next ensuing.

At which Time, being once more assembled in the Place called the Parliament-Chamber, in the old Palace at *Westminster*, the Spiritual and Temporal Lords all present, except the Abbots, *Cromwell* being the first in the List under these Titles ;

Anno Regni 31.
32. 1541.

Thomas Dominus Cromwell, Eques Sacri Ordinis Garteri, Custos privati Sigilli Domini Regis, ac suae Majestatis Vicegerens, [Vicar General,] et Officialis principalis ad Causas Ecclesiasticas ;

Cromwell made the King's Vicar-General, and takes Place next the Blood Royal.

The Lord High Chancellor opened the Session in a Speech of some Length, but which the *Journalist* gives to this Effect :

‘ By the Command of the King’s Majesty this Parliament was first summoned, begun and prorogued ; as well for the Piety and Reverence which he bears to the Glory of Almighty God, as for the Zeal and paternal Affection he has to the Lords his Assistants in Government, and the whole Body of the *English* Nation, his most dear, faithful and true Subjects ; that at length, by these Parliamentary Councils, that Thing may be effected, which

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King Henry VIII. ' which is most conducive to the Glory of God, the
' Security of the Kingdom, and the greatest Benefit
' to the Commonwealth. Therefore, his Majesty,
' now, as before, admonishes, exhorts, demands,
' and, by his Royal Authority, commands the Lords,
' both Spiritual and Temporal, that they would
' freely, openly and ingenuously declare their Minds,
' on those Things, which may seem to tend thereto ;
' and, by their free Suffrages, give a Sanction to them.
' And, on the contrary, that they would take care
' to abrogate and take away all pernicious and adverse
' Errors, that Concord, Harmony and Prosperity
' may flourish, and that a perfect Union may be estab-
' lished. Conjuring them, that they would not
' be negligent in these Matters, by the Duty and
' Reverence they owed to Almighty God, Respect
' to their King, and Piety to their Country and the
' Commonwealth.'

After the Chancellor had ended his Harangue, with the Praises and Approbation, as the *Journal* expresses it, of all the Peers; *Thomas* Lord *Cromwell*, Knight of the Garter, stood up, and spoke to this Purpose :

He proposes two Committees for settling Matters of Religion.

' He first took Notice of the Concord which the
' Chancellor had, particularly, advised amongst
' them ; than which, nothing could be a greater
' Bond for the Safety of the King's Majesty and the
' Commonwealth. Since nothing could be more
' wished for, than that a perfect Harmony and mutual
' Consent should always subsist between the
' Head and Members of this national Body. That
' his Majesty loved Concord as much as he hated the
' contrary Vice ; but he knew very well that there
' were not wanting many *Tares* which grew up
' in his Field amongst the Corn ; which, by the
' Boldness and Bitterness of some, the inveterate
' and corrupt superstitious Tenacity of Opinions in
' others, excited many Contentions and Quarrels
' amongst those, which would otherwise be pious
' *Christians*. Some call the others *Papists*, whilst
' those, again, term them *Hereticks* ; both wicked
' in their Kinds, and not to be endured ; and the less
' so,

so, by reason of the Holy Word of God, which his
 most Serene Highness, out of his Benignity, had
 suffered to be published in Books, for the Safety and
 Comfort of his People; that they might read,
 in their native Language, how much that most
 holy Gift of God had been miserably abused and
 perverted. Thus, while some follow Heresies and
 others Superstitions, I call it, adds he, a Confusion
 of Things, which proceeds from wicked Minds.
 Our most illustrious Monarch, who, as much as
 in him lies, neither favours one nor the other Side,
 but professes himself a most sincere *Christian*, as a
 most *Christian Prince* ought to be, neither wavers
 to the Right nor Left; but prescribing himself a
 direct Line, guides and directs his Steps and Judg-
 ment by the pure Word of God and an Evange-
 listical Sincerity.

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That, therefore, all Errors may be rooted out
 to make Room for the true Religion, his Majesty
 makes it all his serious Care and Endeavour; and,
 in this principally, that all well-polished set Forms
 of the holy Gospel's true Doctrine may be esta-
 blished. Secondly, That all pious Ceremonies and
 Customs may be separated from the wicked; their
 real Uses taught and inculcated, and their Abuses
 rectified. And that Things may, at length, go
 well, all the Inhabitants of this Island, especially
Englishmen, should be admonished against Books
 which treat of impious and irreverent Subjects, by
 a wicked Perversion and audacious Interpretation of
 sacred Writ. Heavy Pains and Penalties should be
 laid upon those, who offend in these Things, out
 of Malice; that others may take Example from
 thence, and not run headlong to their own Destruc-
 tion; and be punished by Laws worthy of the
 Lawgivers.

And, that *Christ*, the Word of *Christ* and Truth,
 may conquer all Errors, in the true Exposition
 and setting forth of the Gospel, his Majesty hath
 chosen certain Bishops and Doctors, that will, sin-
 cerely inform us what belongs to the Institution
 of a *Christian Man*. These, the Orator, reckon-
 ed

King Henry VIII. ' ed up by Name ; viz. the Archbishops of *Canterbury* and *York*, the Bishops of *London*, *Durham*, *Winchester*, *Rochester*, *Hereford*, and *St. Davids* ; the Doctors *Thurlby*, *Robinson*, *Cox*, *Wilson*, *Dey* Almoner to the Queen, *Oglethorp*, *Redman*, *Edgeworth*, *Crayford*, *Symonds*, *Robins*, and Doctor *Tresham*, who were all to treat of the true Doctrine of Christ. Other Bishops the King had chosen to expound the Difference and Reasonableness of Ceremonies ; viz. the Bishops of *Bath*, *Ely*, *Salisbury*, *Chichester*, *Worcester*, and *Landaff*, and to these, said he, the Business of examining into Rites and Ceremonies was committed. Nor would there be wanting, to the Assistance of both these Commitees, his Majesty's own Suffrage, sincere and exact Judgment, to crown the whole. Lastly, That his Majesty's Authority might not be despised or made a Jest on, all the King's Judges and Commissaries, who had offended against the known Laws of the Land, were to be punished, at the Discretion of these Delegates, by the Statutes in Force.'

We are told by the *Journalist*, That great Praises and Commendations were also bestowed on the King's Vicar-General, by the Lords, for his eloquent Speech, and the handsom Manner he delivered his Majesty's Mind to them ; by which he seemed worthy of being appointed Vicar-General of the Universe. And that they might, as far as in them laid, promote this holy and pious Study and Design, it was unanimously agreed to set aside every *Monday*, *Wednesday* and *Friday*, from all other Businesses, to attend to it. And every Afternoon of the Week should be for the same Use ; praying to God that he would prosper a Work, so well begun, as this seemed to be.

A Subsidy
granted.

May the 8th, a Bill for a Subsidy of one *Fifteenth* and a *Tenth*, was brought into the House of Lords, and read the first Time. There were also the usual Taxations, on Denizens and Aliens, added to it. The Clergy, also, gave four Shillings in the Pound ; which exorbitant Demand, says Lord *Herbert*, was
solely

solely laid upon *Cromwell*, as the Occasion, which King Henry VIII. gained him an universal Hatred amongst the People, and was one Reason of his sudden Fall after it.

Bishop *Burnet* (q) writes that this Supply from the Clergy, was given as an Acknowledgement of the great Liberty they enjoyed by being delivered from the Usurpations of the Bishops of *Rome*; and in Recompence of the great Charges the King had been at, and was still to be at, in building Havens, Bulwarks and other Forts for the Defence of his Coasts, and the Security of his Subjects. As to the Subsidy granted by the Laity, the same Historian assures us, but from what Authority we know not, that it was demanded as a Gift on the King's intended Marriage; which he was forced to ask of the Parliament, because he had husbanded the Money so ill which came by the Sale of Abby-Lands. That this was obtained with great Difficulty; for, it was said, that if the King was already in Want, after so vast an Income, especially, being engaged in no War, there would be no End of his Necessities; nor were they able to supply them. To this it was answered, that the King had laid out vast Sums in fortifying the Sea-Coasts; and tho' he was then in no visible War, yet the Charge he was at in keeping up the War beyond Sea, was equal to the Expence of one; and much more to the Advantage of his People, who were kept at Home in Peace and Plenty. The Prelate informs us, that these Arguments obtained a Grant of a *Tenth* and *four Fifteenths*; tho' this last is expressly against the Authority of the *Journal*, which only mentions one *Fifteenths*, as before observed.

The same Day a Bill was returned from the The Order of St. John of Jerusalem suppress'd. House of Commons, with one Provision by them annexed, for putting into the King's Hands all the Lands and Possessions belonging to the Knights of *St. John* of *Jerusalem*, which was read and passed. The noble Historian of this Reign says, that these Reasons were assigned for bringing in this Bill; VOL. III. L because

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‘ because the Knights of *Rhodes*, or *St. John*, otherwise called the Priors of the Religion of *St. John*, drew yearly great Sums of Money out of the Kingdom; that they maintained the usurped Power of the Church of *Rome*; that they defamed and slandered the King and his Subjects; that the Isle of *Rhodes*, whence the said Religion took its Name, was then surpris’d by the *Turks*; and, lastly, that the Revenues might be better employed for the Defence of the Realm.’ Thus, adds our Authority, fell that ancient and pious Order; not without much Scandal, abroad, both to the King and Government. The Grand Prior, who had a principal Place in the House of Lords, with some others of the Order, who were conformable to this Reduction, had Pensions allowed them for Life.

May 11th, after the Reading of six private Bills from the House of Commons, and the Lords still sitting, Sir *Nicholas Hare*, the Speaker of that House, with the Members, came up; to whom the Chancellor declared the King’s Mind to this Effect; ‘ That since the Feast of *Pentecost* was now approaching, and it was not possible to put an End to this Parliament before that Time; and tho’ the King understood that the greatest Part of the Business, which concerned his Majesty, had been expedited, particularly the Subsidy, for which he returned them Thanks: Yet, his Majesty reflecting that this Parliament was first called for the Establishment of the publick Good of this Kingdom, and a true Concord in the Christian Religion; and, since that great Work cannot be so soon perfected, which not only concerns this Kingdom of *England*, but also other Nations and the whole *Christian* Church, who have their Eyes and Minds set upon their Proceedings: Therefore, his Majesty judges it highly necessary that these Matters should be more maturely treated and discussed by himself, the Bishops and Clergy; for which, and several other Causes, the King thought fit, by his Letters Patent, to prorogue this Parliament, from that Day, to the 25th Day of *May*, next following; exhort

exhorting all and singular Members of both Houses King Henry VIII. to give their Attendance at the Time aforesaid.' Next follows in the *Journal*, a Copy of the King's Letters Patents for this Prorogation, which is unnecessary here.

On the 25th of *May*, the Parliament being again assembled, the first Thing that was read in the House of Peers was, a Bill to assign a Jointure on the King's Marriage with the Lady *Ann of Cleve*, now called Queen of *England*. This Lady has been mentioned before; the King, during the last Prorogation, having forced himself to marry her; but, in a very short Time we shall find, that this very Parliament, which now settled a Jointure, was, equally, concerned in a Divorce.

June 10, There is an Entry made in the *Journal Book*, that on that Day, about three o'Clock in the Afternoon, *Thomas Lord Cromwell*, Earl of *Essex*, and the King's Vicar-General, was attached of High Treason, in the Council-Chamber at *Westminster*; and, by the Lord Chancellor and other Lords there present, committed Prisoner to the *Tower*. And, the 17th of the same Month, a Bill of Attaindure was brought into the House and read against him; which passed both Houses, on the 29th, *Nemine contradicente* (r).

Thomas Lord Cromwell, attainted and executed for High Treason.

Thus, this Man, who had, from a very low Beginning, mounted to the Summit of Glory, was on a Sudden cast down; and is another terrible Instance, along with Cardinal *Wolsey*, how slippery the Footing is of those who depend on the Smiles of Princes. He was condemn'd unheard, and executed, on *Tower-Hill*, the 28th Day of *July*, four Days after the Dissolution of this Parliament (s).

L 2

Mr.

(r) See the Preamble to this Act of Attaindure, where all his Crimes were summed up together, in *BURNET's Reformation*, Vol. I. Pag. 278. The Chief of which, were, for favouring and maintaining a Translation of Heretical Books into *English*; and for countenancing and supporting Heretical Teachers; for being an Heretick himself, and for having spoken bold Words for the Upholding his said Religion, viz. That the King himself should not change it if he would, &c.

(s) With *Cromwell* was beheaded *Walter Lord Hungerford of Hertsbury*

King Henry VIII. Mr. *Foxe*, the Martyrologist, breaks out into High Invectives against this Proceeding; and does not stick to tax Parliaments themselves with very scandalous temporizing Measures. In the Course of his History, he has bestowed many severe Censures on those of our Kings who any Ways persecuted Lollards or Hereticks; but here, out of Regard to the Memory of his Martyr *Cromwell*, he has taken Pains to shew, by several Instances, drawn from his own Work, how servile Parliaments have been to the capricious Humours of their Princes. We are persuaded that his own Words will be no disagreeable Entertainment to the Reader (1).

Such malicious Makebates about Princes and Parliaments never lacked in Commonweals. By such King *Ethelstone* was incensed to kill his Brother *Edwine*. So was King *Edward* the 2d deposed. So likewise when King *Richard* the 2d was once brought into the *Tower*, what Crimes and Accusations were laid against him in Parliament. So was *Humphry*, the good Duke of *Glocester*, the King's Uncle, by *Henry Beauford*, Bishop of *Winchester*, and others, in the Parliament holden at *Bury*, arrested as a Traitor and falsely made away. What great Treason was in the Words of him, who dwelling in *Cheapside*, at the Sign of the Crown, said merrily to his Son, that if he lived, he would make him Heir to the Crown; and yet was he therefore attainted and judged for a Traitor. In the Time of King *Henry* the 8th, how was that Parliament incensed, wherein both Queen *Ann* was falsely condemned, and Queen *Elizabeth* disinherited. To omit the Attainder of the Duke of *Buckingham*, wrought by the Cardinal of *York*; of the Lord *Cobham* likewise and Sir *Roger Aston*. If the Cause of *Henry*, late Earl of *Surrey*, was well tried out, peradventure no such heinous Purpose of Treason should be found therein as was then,

tesbury for Buggery, and *William Boid*, Clerk, his Chaplain, who were both attainted in this Parliament; but treasonable Words, Conjurations &c. were also laid to their Charge. *Burne*: 361.

(1) *Foxe's Acts and Monuments*, Vol. II. Pag. 1085.

then made. Who incensed the late Duke of *Somerset* to behead his own Brother, but such Make-
bates as these? and afterwards when the said Duke
himself was attainted for a Traitor, and condemn-
ed for a Felon, a Briber and an Extortioner, how
was the Parliament then incensed? *Adam Dam-
lip* received of Cardinal *Pool*, at *Rome*, by Way of
Alms, but a silly Crown; and therefore, by means
of *Stephen Gardiner*, was attainted for a Traitor.
Not that I here speak or mean any Thing, adds our
Author, against the High Court of Parliament of
this Realm, &c.' And so he goes on, daubing o-
ver the Chasms he has here made in this great Branch
of our *English* Legislature, for half a Folio-Page to-
gether. But to proceed with our own History,

On the 6th Day of *July*, after the rest of the Bu-
siness was done in the House, the Lord Chancellor,
the Archbishop of *Canterbury*, the Dukes of *Norfolk*
and *Suffolk*, the Earl of *Southampton* and the Bishop
of *Durham*, partly, by the Mouth of the Chancel-
lor, and, partly, by their own, spoke to the rest of
the Peers, to this Effect:

'That they very well knew what bloody and
cruel Slaughter had formerly been acted in this
Kingdom, by reason of various Contentions oc-
casioned by dubious Titles to the Succession of this
Crown. And, since, by the Grace of God, all
these Controversies were ceased, and all those
Titles were united, by the divine Benevolence,
in the single Person of his most serene Majesty; so
that no Occasion of Discord could arise, unless this
should happen, That their only Hope, the noble
Prince *Edward*, undoubted Heir to his Father's
Kingdoms, should be taken from them, by some
sinister Accident. In that Case, which God avert,
it is necessary for the general Safety, that some o-
ther future Heir, by the divine Goodness, may be
born to them, in true and lawful Wedlock. And,
since this is very doubtful by the late-contracted
Marriage of his Majesty and the most noble Lady
Ann of Cleve; because of some Impediments,
which, upon Enquiry, may arise to make the Va-
lidity

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‘ lidity of that Marriage dubious. Also, for the
 ‘ Quietness and Concord of the whole Common-
 ‘ wealth, in succeeding Times, that nothing of this
 ‘ Kind should spring up to disturb it, it was their se-
 ‘ rious Advice to their Lordships to take it into the
 ‘ Consideration of the whole House; and that a
 ‘ Matter of such high Concern, to every Degree of
 ‘ Men in the Kingdom, might be properly consider-
 ‘ ed, it was necessary that the House of Commons
 ‘ should be also consulted about it. That, after-
 ‘ wards a Committee of both Houses should be ap-
 ‘ pointed to wait upon his Majesty, humbly open-
 ‘ ing to him, as far as Decency would admit of,
 ‘ their Doubts and Scruples in this Matter, and
 ‘ humbly intreating that he would please to acquaint
 ‘ them whether the aforesaid Marriage was valid or
 ‘ not. And, that his Majesty would permit the
 ‘ Judgment and Decision of this Question to be laid
 ‘ before the Archbishops, Bishops, Deans, Archdeacons
 ‘ and the whole Clergy of *England*, now assembled
 ‘ in Convocation.’

The Parliament
 propose to the
 King an Inquiry
 into the Validity
 of his last Marri-
 age.

The whole House of Peers came to an unanimous Resolution, on the Chancellor's Motion, to send some of their Members to the House of Commons, to acquaint them with the Particulars of it. And, to desire that, after due Deliberation had thereon, they would send back six of their Body to inform their Lordships of the Result of their Consultation. The Commons sent Sir *Thomas Cheney* Knight, Treasurer of the King's Household, and Sir *William Kingston*, Comptroller, with others, to the Number of Twenty, as a Committee of their House, to go along with the Lords, without Delay, to wait upon his Majesty with the aforesaid humble Supplication. All the Temporal Lords and this Committee, accordingly, waited on the King, when the Chancellor opened the Cause of their coming; by, first, returning his Majesty their hearty Thanks for all his Kindnesses and Indulgences to them, particularly, for the late Act of Grace. And, then told him, that they had a Matter of great Moment to communicate, if his Majesty would give them Leave, and pardon their
 their

their Presumption. The King answered, ' That King Henry VIII.
 ' he could never expect that any Thing would come
 ' from them that was either evil, dishonest or un-
 ' reasonable, and therefore bad them speak their
 ' Minds, freely, to him.' And, after the Chan-
 cellor had delivered the aforesaid Address, his Maje-
 sty, again, replied, ' That, indeed, their Message
 ' was of such a Nature, that he could neither deny
 ' nor grant their Request ; but that, however, he
 ' would refer the Disquisition of this important
 ' Question to the Judgment and Determination of
 ' the Clergy, in the Convocation of both Provinces.
 ' In which Order, he believed, there were as many
 ' grave, learned, honest and pious Men, as could any
 ' where be found, who would not say a Thing which
 ' was not just and right ; and to these he would Which Henry re-
 fers to the Con-
 vocation,
 ' commit the Affair, for their Examinations ;' and
 ordered his Letters Patents to be made out accor-
 dingly.

This Business was very soon concluded ; for we
 are told by the *Journal*, that on the 10th Day of
June, the two Archbishops and the rest of the Bi-
 shops declared to the House of Lords, that they had
 examined into the Affair of the Marriage, by virtue
 of the King's Commission directed to them, and, that,
 both by divine and human Law, they had found it
 invalid. Which Sentence they produced under the
 Hands and Seals of them all ; and which being pub-
 licly read and approved on, two of that reverend
 Body were assigned to carry it down to the House of
 Commons for their Approbation. And, in conse-
 quence thereof, a Bill was brought in the very next In consequence
 whereof, he is
 divorced ;
 Day, concerning the Invalidity of the Marriage be-
 tween the King's Majesty and Lady *Ann of Cleve*,
 which passed the House of Lords the Day after ; and
 in a few Days more was expedited thro' the House of
 Commons. And *Henry*, who had always another
 Wife ready, on the Death or Divorce of a former,
 was publicly married to the Lady *Katharine Ho-* And married to
 Lady Katharine
 Howard.
ward, Neice to the Duke of *Norfolk*. Thus, says
 Lord *Herbert*, a Law was passed, declaring the Mar-
 riage void, on the Sentence of the Clergy of *England*,
 and

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King Henry VIII. and the Lady's forc'd Consent ; making it High Treason for any one to judge or believe otherwise (u).

Mr. *Rapin*, after producing Arguments to invalidate the several Reasons which *Henry* gave for this second Divorce, concludes with this Reflection (x). He says, ' That the King must have had a very ill Opinion both of the Convocation, the Parliament, and the Publick, to alledge such extraordinary Causes for this Divorce. But, the Clergy thought those Reasons solid, and passed a Sentence of Divorce upon them ; and the Parliament was so abject, as to prostitute themselves to the King's Passion, and confirm the Sentence ; not one single Vote being against it: So much did every one dread the King's Displeasure.' He adds, ' This is a remarkable Evidence of what I have often intimated, that in every Thing transacted in *England*, during the latter Part of *Henry VIII*'s Reign, the Clergy and Parliaments ought to be considered, only, as the King's Instruments to gratify his Passions. To him was due the Praise of whatever was good and useful ; and, he it is that ought to be blamed for whatever was done amiss. Meanwhile, the Parliament and Clergy are inexcusable, for not having endeavoured to support the Cause of Truth and Justice, when they believed them to be oppressed.'

Acts pass'd.

The rest of the Acts thought proper to be taken Notice of, by the noble Historian, are these ;

' Another Act also was made, shewing, What Marriages were lawful, and what not. Wherein is ordained, that all Marriages, without the Degrees prohibited by God's Law, made and consummate by carnal Knowledge, shall be firm and good ; notwithstanding any Precontract, which hath not been so consummate. But this Law was repealed 1 and 2 *Phil.* and *Mar.* and 1 *Eliz.* 1.

' Other Acts also were passed this Session of Parliament, which began *April* 12. Among which I thought

(u) *Kennet*, Vol. II. Pag. 224.

(x) *History of England*, Vol. I. Pag. 326.

thought fit to remember these. An Act declaring King Henry VIII. in what Cases a Man may dispose all his Lands by his last Will in Writing; and in what, but Part thereof. And in what Cases the King, and other Lords shall have their Wardships.

‘ That no Person should sell or buy any Right or Title, or maintain it, or procure Maintenance in any Suit.

‘ The Punishment also by Death of Priests married or unmarried; and of Women offending with them by Incontinency, was repealed. For as the Clergy of those Times thought it, though one of the six Articles, too severe; the Punishment, upon their Remonstrance, was laid on their Goods, Chattels, and spiritual Promotions; and this also better pleased the King.

‘ Sanctuaries also, and privileged Places were reduced to a few; and certain Rules prescribed to them.

‘ That Horses feeding on Commons, not being of a lawful Height, (that is to say, not being fifteen Hands high, at two Years old) should be seized on by any Man for his own Use.

‘ That Forests, Heaths, Commons, &c. should be driven once in the Year, and unlikely Tits in them to be killed. Nevertheless, that Horses of small Height might be put where Mares were not kept.

‘ The Statutes also, of 5. *Rich.* 2. c. 3. 6. *Rich.* 2. c. 8. 4. *Hen.* 7. c. 10. and 23. *Hen.* 8. c. 7. touching freighting in *English* Ships, were only rehearsed and confirmed, and a Rate set down what should be paid for the Freight, or Portage of the several Sorts of Merchandizes from the Port of *London* to other Places, and from thence to *London*.

‘ That no Alien nor Denizen shall set up any Trade in the King’s Dominions; and they who are Denizens should be bound by and unto all the Laws and Statutes of this Realm, particularly those of 14. *Hen.* 8. and 21. *Hen.* 8. above mentioned.

‘ That *Trinity* Term, in regard of Impediment of Harvest and Danger of Infection, should be abbreviated.

King Henry VIII. viated. Certain Priviledges also were granted to Physicians in *London*, as that they should not keep Watch and Ward, nor be Constables; and that they might practise Chirurgery: Barbers and Chirurgeons were also made one Company, and certain Priviledges given them; as not to bear Armour, or to be put in any Watches or Inquests.

‘ A Court also of the First-Fruits and Tenths, granted to the King, was erected.

‘ The Court of the King’s Wards also, and the Names and several Duties, and Offices thereof, was erected.

‘ Lastly, a general and free Pardon was granted of all Heresies, Treasons, Felonies, and Offences, some particular Persons and Matters only excepted.’

The *Journals* inform us, That, on the 24th Day of *July*, when the King came to the House of Lords, with the usual Ceremony, in order to pass the Bills, and to put an End to the Parliament; Sir *Nicholas Hare* Knight, Speaker of the House of Commons, addressed himself to the King, on his Throne, to this Purport:

The Speaker’s
Speech at the
End of this Ses-
sion.

‘ The great World, says he, contains these several Divisions, the Divine World, the Celestial and the Terrestrial Worlds. By the Similitude of which, Man is said to be a *Microcosm*, that is, a little World, and hath, also, three Parts, viz. a Head, a Breast and inferior Members. And, in Likeness of these he asserted that the whole *English* Government was constituted; in which, the King was the Head, the Peers the Body, and the Commons the rest of the Machine. In all which, as there ought to be a strict Concord betwixt the Head and the other Parts of a human Body, so should there be the same Uniformity between the King, the Peers and the People. The King, adds he, is by Name acknowledged to be the Head of all; and such a Head as most happily directs and governs the whole *English* Constitution; by, graciously, giving up much of his own Right for the Sake of the Inferior Members. Instances of which are, the present Act of Grace and
‘Par-

' Pardon ; the Statute for freely devising two Thirds ^{King Henry VIII} of each Man's Estate, &c. which all, openly, testified that both Court and Country must flourish and be happy under such a Ruler ; and for which they ought all there present to render him their most hearty Thanks.'

At which Words every Man stood up and bowed themselves to the Throne, and the King returned the Complement by a gracious Nod from it. After this the Speaker went on, and said, ' That the whole People of *England*, in order to shew some Gratitude to his Majesty, to whom they thought themselves so much obliged, that they could never pay him according to his Merit ; had, lest they should seem unmindfull of such Benefits, joined in granting a *Subsidy*, by the Consent of both Houses, which they freely offered to him. And, lastly, begged his Majesty would condescend to give the Royal Assent to the rest of the Bills made ready for that Purpose.'

Our *Journalist* is very prolix and circumstantial in giving the complementing Speeches and Ceremonies, which passed in the last Day of the Session ; which the Reader, perhaps, may have seen more than enough of in this Abridgement. We shall conclude with observing, that there were no less than seventy Acts passed at this Time, tho' the Statute-Books only mention fifty ; but since all the most material Acts, or the Titles of them, are given before, they are no farther necessary here. When they had all passed the Royal Assent, (except one, relating to the Merchants Adventurers, which the King gave the usual answer to, *Le Roy S'aviserà*) the Lord Chancellor, by his Majesty's Command, dissolved the Parliament.

To these Proceedings the Clerk hath added the ^{The remarkable} Note following, which shews a very uncommon ^{Unanimity of} Unanimity in the Peers at that Time : ^{this Parliament,}

Hoc animadversum est, quod in hac Sessione, cum Proceres darent Suffragia et dicerent Sententias super Abusibus prædictis, ea erat Concordia et Sententiarum
Con-

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King Henry VIII. *Conformitas, ut singuli eis et eorum singulis assenserunt, Nemine discrepante (y).*

THOMAS DE SOULEMONT,
Clericus Parliamentorum.

A Rebellion in
Yorkshire sup-
press'd.

Affairs being now, again, settled according to *Henry's* Mind, both in his own Family and in Parliament; and he once more blessed with a young, and, what he hoped for, a fruitful Wife, had a fair Prospect of ending his Days in Ease and Quietness. But, a very little Time after presented him with a new Scene of Trouble, more unexpected than any before it. A small Rebellion happening in *Yorkshire*, under the Conduct of Sir *John Nevile*, the King took Care to have it suppressed betimes; and the Leader of it was executed at *York*. This gave Occasion for the Execution, also, of the old Countess of *Salisbury*, who had then been a Prisoner two Years, in the Manner before recited. A Jealousy that this Insurrection was set on Foot by her own, or her Son Cardinal *Pool's* Instigation, occasioned it. Not long after which, *Henry* resolved to make a Progress, in Person, into *Yorkshire*; not so much, says the noble Historian, to extinguish the Relicks of the last Commotion, as those of Superstition, Miracles and Pilgrimages. For tho' the King continued his Rigour against those that disputed either his Authority or the Six Articles, and sacrificed many on that Score; insomuch that, (as both the Reformers, and those that were Maintainers of the Pope's Supremacy, suffered equally) his Enemies said, That, while he admitted neither Side, he seemed to be of no Religion at all. Yet, says Lord *Herbert*, this was but Calumny, for he stood firmly to his great Work of Reformation; as the abovementioned Design, in the Northern Progress, is a particular Instance.

Henry met with some Vexation in the Midst of this Expedition. His Nephew *James*, King of *Scots*, had promised to meet him at *York*; but, when every Thing

(y) This is a full Confirmation of what *Rapin* hath advanced in the foregoing Pages.

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Thing was got ready there for the Royal Interview, King Henry VIII. James sent him Word he could not come. This Slight was highly resented; but, he met with a much greater Trouble on his Return to London. For, he was no sooner arrived, than he was credibly informed that his new Queen *Katharine*, who had been with him all his Progress, had been guilty of Q. Katharine accused of Incontinency. Incontinency before he married her. The Proof against this unhappy Lady was somewhat stronger than against any of his former Wives, as may be seen in Lord *Herbert*; who seems to suppress a good deal, in regard to the noble Family from whence she sprung. But, notwithstanding this, *Henry* was somewhat puzzled how to get rid of her; and was obliged to have Recourse to his old Method of referring his Difficulties to a Parliament.

Accordingly, a new one was called to meet at *Westminster* on the 16th of *January*, in the 33d Year of his Reign (2). Where being all assembled, and the initial Ceremonies dispatch'd, *Thomas Lord Audley*, still Lord Chancellor, opened the Cause of the Summons in a grave and eloquent Speech, say the *Journals*, but of so uncommon and immoderate a Length, that the Clerks, being busy on different Affairs, could not attend to take, even, the Heads of the whole Speech; which, they add, would take three Hours to write down, and one to read. What they could collect, under the Title of *Compendium Orationis*, is to this Effect:

Anno Regni 33.
1542.
At Westminster.

“ In the first Place, the Chancellor declared in what Manner *David* began his Reign over the People of God, the *Israelites*; he did not pray that Honours and Riches might be heaped upon him, but only that his Understanding and Wisdom might be enlarged. Give me Understanding, that I may search
thy

The Lord Chancellor's Speech at opening the Session.

(2) The Summons to this Parliament directed first to *Thomas Archbishop of Canterbury*, in the usual Form, the rest of the Bishops and to all the Peers, the Judges, some Sergeants at Law, the King's Attorney and Solicitor-General, with the Master of the Rolls, all by Name: As, also, to the Sheriffs, Mayors, Bailiffs, &c. for electing the Commons, are extant in *RYMER's Fœd. Ang.* Tom. XIV. Pag. 737, &c.

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King Henry VIII, *thy Law*; as it is in the Psalms. This Understanding he asked for, that he might the better learn the Things equally necessary for both Prince and People. Such was the Case, also, in our Sovereign Lord the King; who, when his most sacred Majesty first came to the Crown, wished for nothing more ardently, or fervently, than that God would bestow on him Wisdom and Understanding. The Almighty anointed him with the Oil of Sapience above his Fellows; above the rest of the Kings in the Earth, and above all his Progenitors. This, he added, very plainly, appears in three more shining Qualities than others. In the perfect Knowledge of the Word of God, the chiefest Glory in a King; in the exact Understanding of the Art Military, which is the second Virtue in a Prince; and in politic Knowledge, which holds the third Place; as bringing the greatest Good to the Commonwealth. For the First, he commended to them all to think, along with himself, how his Majesty had overthrown and vanquished that *Roman Goliath*, with a Sling and a Stone. The Staff of the Sling, said he, was the King; the Stone was the Word of God; and the Sling was made of Thread, twisted by Preachers; which Threads, or Arguments, were no longer, more sure, or more substantial than they ought to be.

To the Second, he desired the Lords and Commons to call to Mind the King's great Victories, both in *France* and *Scotland*. Which were made more glorious, in that they were gained, at one and the same Time, in different Kingdoms.

To the Third, he, again, commended to them all to reflect, along with himself, on the Peace which had now continued entire and inviolate for Thirty Years together. When, in that Time, almost the whole universal World was distracted with fatal Wars; and Princes fought to destroy each other by Fire and Sword.

Next he laid before their Eyes, what Castles on the Sea Coasts had been new-built, what others repaired

‘ repaired, which for future Ages would terrify our ^{King Henry VIII.}
 ‘ Enemies, and defend the Kingdom from Inva-
 ‘ sions.

‘ Lastly, he desir’d them to consider, that a very
 ‘ few Years last past, many civil Dissentions had
 ‘ been compos’d without Bloodshed, by the King’s
 ‘ Conduct. And at length, that the *Irish* Nation,
 ‘ a People barbarous and savage, had been reduced
 ‘ to Obedience ; inasmuch, that a Nation, hither-
 ‘ to untractable, now desired to submit to his Laws.

‘ These, and an innumerable Number of Bene-
 ‘ fits, confer’d upon them by their most illustrious
 ‘ Prince, he desired them to remember. From
 ‘ whence it plainly appeared that he, like *David*,
 ‘ from the Beginning, had prayed to God for Un-
 ‘ derstanding to expound the Laws. And also to
 ‘ pray so effectually, that no King commemorated
 ‘ in History, could be compar’d to him.’

At which Words, all the Peers, as well as the
 Commons, stood up and bowed to the Throne,
 with that Reverence, as plainly shew’d, says the
Journal, with what willing Minds they own’d his
 Empire over them ; and what they owed to God,
 who had committed the Government of the King-
 dom to the Care of such a Prince. Then the Chan-
 cellor turn’d his Discourse to inform the Assembly,
 why they were call’d to meet at the present Time.

He told them, ‘ That his Majesty had summon’d
 ‘ his great Council, consisting of three distinct Bodies,
 ‘ the Clergy, Lords, and Commons, as the Repre-
 ‘ sentatives of the People. That these three Orders
 ‘ or States, should meet as the whole Body of the
 ‘ *English* Commonwealth. That from thence they
 ‘ might learn each Man’s particular Inclinations and
 ‘ Qualities ; and if by Chance any Defect or Excess
 ‘ be found in the Government, by their common
 ‘ Advice and his Majesty’s Authority, it might be
 ‘ amended, and the Law made more vigorous by
 ‘ taking away Superfluities.

‘ But, adds the Orator, there yet remains three
 ‘ principal Causes for calling this Assembly. The
 ‘ first concern’d the Honour, Praise, and Glory of
 ‘ God,

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‘ God, by an Unity in Faith and Concord in Religion ; sisting of different Opinions, if by Chance
 ‘ any new one had sprung up, or there was yet any
 ‘ old one left to abrogate. And here he mentioned
 ‘ some particular Royal Laws, or Proclamations ;
 ‘ as, for the true Preaching of the Gospel ; for
 ‘ Hospitality amongst the Clergy ; and forbidding
 ‘ Pluralities, &c.

‘ Secondly, what chiefly appertained to their
 ‘ own Government, *viz.* that it ought to be strictly
 ‘ looked into, whether the King’s Laws were every
 ‘ where obeyed by the King’s Subjects ; and, if
 ‘ despised, why they were made ? For many
 ‘ Laws, to the no small Hurt of the Commonwealth, remain perfectly unknown. This concerned the Oppression of the Poor ; the Power of
 ‘ Evil-doers, who would observe and keep some
 ‘ Laws, whilst they violated others ; yet so, as
 ‘ they themselves would explain their Meaning.
 ‘ Also, the great Number of Engrossers ; the Dear-
 ‘ ness of Victuals in a Time of such Abundance,
 ‘ and against sturdy Beggars.

‘ The third Cause for the Summons, he said,
 ‘ was, that they might search into and examine
 ‘ whether any new Vices had broke out in the Commonwealth ; (since human Nature was a very ingenious Inventor of Evil) against which there
 ‘ were no Laws yet made. That if they came in
 ‘ Use, then new Laws should be enacted ; in the
 ‘ same Manner, as for new and unheard of Diseases, new Drugs and Medicines are sought after
 ‘ and tried. He then gravely and solemnly told
 ‘ them, that in the framing such Laws, the Circumstances of the Crimes and the Qualities
 ‘ of the Persons, ought chiefly to be considered.
 ‘ For Example, an Injury received from a Friend
 ‘ or a Familiar, is heavier than one from an open
 ‘ Enemy, or an unknown Person ; and for this Reason the Crime of High Treason ought to be more
 ‘ heavily punished.

Here the *Journal* breaks off abruptly, just when the Orator was coming to the real Point, or Cause,
 for

for which this Parliament was called ; and to which King Henry VIII. all the former Parade of Words was only introductory. Whether this was done by Negligence or Design, in the Clerks, is uncertain ; perhaps, the latter ; that the Queen's Disgrace might not appear so openly on Record, in which the King's Honour, to which was then paid the highest Veneration, was but too much concerned.

The Receivers and Tryers of Petitions being named and appointed, as usual ; on the 20th Day of *January* the Commons presented to the King, in Parliament, *Thomas Moyle*, Esq; as their Speaker. Tho. Moyle, Esq;
Speaker. Whose Excuse for Disabilities, &c. being not allowed, he made the usual Protestation for Liberty of Speech ; and after some high-flown Compliments paid to the King, from this Quarter, he was confirmed.

The very next Day a Bill was brought into the House, and read a first Time for the Attaindure, on the Charge of High Treason, of *Catherine Howard*, late Queen of *England*, *Jane Lady Rochford*, with others. And in the same Bill was contained the Attaindures, on Misprision of Treason, of *Agnes Howard* Duchess of *Norfolk*, *William Howard*, &c.

On the 28th of the same Month, the Lord Chancellor declared to the rest of the Peers, ‘ How much it concerned all their Honours, not to proceed to give too hasty a Judgment on the Bill for the Attaindure of the Queen and others, which had yet been only once read amongst them. For that they were to remember that a Queen was no mean or private Person, but an illustrious and publick one. Therefore, her Cause was to be judged with that Sincerity, that there should be neither Room for Suspicion of some latent Quarrel, or that she should not have Liberty to clear herself, if perchance, by Reason or Council she was able to do it, from the Crime laid to her Charge. For this Purpose he thought it but reasonable, that some principal Persons, as well of the Lords as Commons, should be deputed to go to the Queen, partly to tell her the Cause of their coming, and

Proceedings on
the Attainder of
Queen Catherine,
&c.

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‘ partly in order to help her Womanish Fears, by
 ‘ advising and admonishing her to have Presence of
 ‘ Mind enough to say any Thing to make her Cause
 ‘ better. He knew for certain, that it was but just
 ‘ that a Princess should be judged by equal Laws
 ‘ with themselves; and he could assure them that
 ‘ the clearing herself in this Manner would be high-
 ‘ ly acceptable to her most loving Husband. But,
 ‘ that some Answer ought to be had from her, and
 ‘ to report the Truth of it to his Majesty, his Ad-
 ‘ vice was, that they should chuse the Archbishop
 ‘ of *Canterbury*; *Charles Duke of Suffolk*, Grand
 ‘ Master of the Household; *William Earl of South-*
 ‘ *ampton*, Lord Privy-Seal; with the Bishop of
 ‘ *Westminster*; if the King’s Council approved of
 ‘ this, Day after Day, to repair to the Queen, to
 ‘ treat of this Matter, according as their own Pru-
 ‘ dence might think it necessary.’

And in the mean Time the Sentence concerning
 the Bill against her Majesty was ordered to be sus-
 pended.

On the 30th Day of the same Month the Chan-
 cellor declared to the Lords’ openly, that the Privy
 Council, on mature Deliberation, disliked the Mes-
 sage that was to be sent to the Queen; nevertheless,
 in the mean Time, they had thought of another
 Way, less faulty, to be put to the King, or rather,
 to be altogether demanded of him.

‘ First, that his Majesty would condescend, ac-
 ‘ cording to his usual Wisdom in Council, to weigh,
 ‘ by an equal Balance, the Mutability of all human
 ‘ Affairs; that Nature is weak and corrupt; none
 ‘ made free from Accidents, and that no Man can
 ‘ be happy in every Thing. That the whole
 ‘ State of the Kingdom depends on his Majesty’s
 ‘ Resolution to divert his Mind from all Trouble
 ‘ and Solitude.

‘ Next, that the Attaindure of *Thomas Colepepper*
 ‘ and *Francis Dereham*, with the King’s Assent,
 ‘ should be confirmed by Authority of Parliament.
 ‘ Also, the Attaindure on Misprision, against Lord
 ‘ *William Howard*. And that the Parliament might
 ‘ have

have Leave to proceed to give Judgment and to finish the Queen's Cause ; that the Event of that Business may be no longer in doubt.

Thirdly, that when all these Things are completed in a just Parliamentary Method, without any Loss of Time, that then his Majesty would condescend to give his Royal Assent to them ; not by being present and speaking openly, as the Custom hath been in other Parliaments, but absent, by his Letters Patents, under the Great Seal of *England*, and signed by his own Hand: That the Remembrance of this late and sorrowful Story and wicked Facts, if repeated before him, may not renew his Grief and endanger his Majesty's Health.

Lastly, they were to beseech his Majesty, that if by Chance, by speaking freely on the Queen, they should offend against the Statutes then in being, out of his great Clemency, he would pardon all and every of them for it. And, to propound all these Matters to his Majesty, the Archbishop of *Canterbury*, *Charles Duke of Suffolk*, with the Earl of *Southampton*, were deputed for that Purpose.

The next Day, being the last of *January*, the Lord Chancellor declared to the House, That their Message and Request, of Yesterday, had been delivered to his Majesty by the Lords Commissioners ; and that the King had denied no Part of their Petition, but had orderly granted every Part of it. That out of his princely Clemency, and unheard of Humanity, he had returned them Thanks for their loving Admonition in regard to his Health ; which, he said, he took Care of, not so much for the Sake of his own Body, as that of the whole Republick. Nay, his Majesty declared further to them than they durst ask of him, as in the Case of desiring Liberty of Speech, &c. For, he told them he granted yet more, in giving Leave for each Man to speak his Mind freely ; and not incur the Penalty which the Laws had fixed on those who took the Liberty to

King Henry VIII.

‘ talk on the Incontinency of Queens. Especially,
 ‘ when the said Person did not do it out of Malice
 ‘ or ill Will, but out of Zeal for his Service.

After this, the Chancellor declared to the Lords,
 ‘ That as soon as the Lords Commissioners were
 ‘ dismissed from his Majesty, a Deputation of some
 ‘ principal Members from the House of Commons
 ‘ were admitted to his Presence. But what was
 ‘ done or said by them the Chancellor did not well
 ‘ know ; only he supposed, that they came to de-
 ‘ liver much the same Message, or Petition, with
 ‘ their Lordships. Adding, that when the Com-
 ‘ mons were dismissed, he commanded that both
 ‘ the Lords and Commons should again be brought
 ‘ before him together. At which Time his Majesty
 ‘ gravely admonished them, that they should take
 ‘ great Care in the framing of good Laws, and the
 ‘ due Observation of them. That no Man should
 ‘ think he was doing his own Business, singly, in
 ‘ Parliament, or that he was called thither for the
 ‘ sake of his own Advantage ; but to do the Work
 ‘ tending to the Good of the Publick : And that
 ‘ every single Peer should reflect how much he
 ‘ owes to the absent Multitude. For which Rea-
 ‘ son it behoved both Peers and Commoners to be
 ‘ unanimous ; to have frequent Meetings, and talk
 ‘ together of the present Business, of the proposed
 ‘ Statutes, or Bills as they are called, which are
 ‘ before them. For his Majesty has heard, and
 ‘ with Sorrow too, that the present Practice of the
 ‘ Members of these Houses is quite the Reverse ; Bills
 ‘ being rejected as disadvantageous to the Common-
 ‘ Wealth, only because they could not be under-
 ‘ stood by the Opposers ; nor would those that
 ‘ introduced them take the Trouble to make them
 ‘ more intelligible, by explaining their proper
 ‘ Sense. So that many good Bills have lost the
 ‘ Force of Law, while each Party is too obsti-
 ‘ nate to acquaint the other with their Meaning.’

February the 11th, the Lord Chancellor produced
 two Statutes, which had passed both Lords and
 Commons ; one, concerning the Attaindure of
 the

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the Queen ; and, the other about the Method of **King Henry VIII.** proceeding against Lunatics, who, before their Infanity, had confessed themselves guilty of High Treason (a). Each Statute signed with the King's own Hand, and together with his Majesty's Assent to them, under the Broad Seal, and signed also, which was annexed to the said Statutes. This the Chancellor held forth in both Hands, that both Lords and Commons, who were called for that Purpose, might apparently see it, and that the Statutes might from thence have the full Force and Authority of a Law. Which, when done, the Duke of *Suffolk*, Grand Master of the King's Household, delivered himself, in a very serious Discourse, to this Effect ;

He told the Houses, ' That he and his Fellow-Deputies, appointed to wait upon the Queen, had been with her ; and that she had openly confessed and acknowledged to them, the great Crime she had been guilty of against the most high God, and a kind Prince ; and, lastly, against the whole *English* Nation. That she beg'd them all to implore his Majesty not to impute her Crime, alone, to her whole Kindred and Family. But, that his Majesty, howsoever unworthy she might be and undeserving, would yet extend his unbounded Mercy, and his singular Beneficence to all her Brothers, that they might not suffer for her Faults. Lastly, to beseech his Majesty that it would please him to bestow some of her Cloaths on those Maid-Servants, who had been with her from the Time of her Marriage ; since she had now nothing else left to recompence them as they deserved.'

The Earl of *Southampton*, Lord Privy Seal, next stood up in the House, and, in near the same Words, confirmed what the Duke had said. Adding, —————

Here, the *Journal Book* breaks off very abruptly again ; and we are only told that the Chancellor

M 3

pro-

(a) We cannot assign any Reason for this Bill's passing at this Time, from History ; and do only guess that some of the Persons concerned with the Queen, were either really run mad or seized themselves so.

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King Henry VIII. prorogued the Parliament from that Day, being *Saturday*, to the *Tuesday* following.

This last *Hiatus in Manuscripto*, along with the former, makes it seem evident that they were not done by Neglect of the Clerks, but by Design. And was a Trick of State to prevent Posterity from being acquainted with some Matters, not consistent with the Respect they then paid to their Grand Monarch. It is not impossible that this farther Declaration might be the same, which Bishop *Burnet* says the Queen made to her Confessor, Dr. *White*, afterwards Bishop of *Winchester*; 'In confessing the Miscarriages of her former Life, before the King married her. But stood absolutely to the Denial of any Thing afterward; and that she took God to Witness and all his Angels, upon the Salvation of her own Soul, that she was guiltless of that Act of defiling her Husband's Bed, for which she was condemned. Yet, adds the Author, the Lasciviousness of her former Life, made People incline to believe any ill Thing that could be reported of her (b).' The Parliament was prorogued from *Saturday, February 11th*, to *Tuesday* the 14th of the same Month. And, on the 13th, (Bishop *Burnet* says the 12th, which could not be, for it was *Sunday*,) the poor Queen and Lady *Rochford* lost their Heads on

The Queen and Lady *Rochford* beheaded.

Tower-Hill. Some more Clauses were inserted in this Act of Attainder of the Queen, &c. proper to be taken Notice of. In the first Place, she was accused by it, for taking *Dereham* into her Service, and another Woman into her Chamber who had known her former ill Life, by which it appeared what she intended to do; and then permitting *Culpepper* to be alone with her in a vile Place, so many Hours in the Night. Therefore, it was enacted that she and they, with the Bawd, the Lady *Rochford*, should be attainted of Treason; and that the Queen and the Lady *Rochford* should suffer the pains of Death.

That

(b) *Burnet's History of the Reformation*, Vol. I. P. 313.

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That the Duchess Dowager of *Norfolk*, the Countess of *Bridgewater* her Daughter, the Lord *William Howard* and his Lady, with other four Men and five Women, already arraigned by the Course of common Law, that knew the Queen's vicious Life and had concealed it, should be attainted of Misprison of Treason.

It was also enacted, that whosoever knew any Thing of the Queen's Incontinence, for the Time being should reveal it with all possible Speed, under the Pains of Treason. That if the King or his Successors should intend to marry any Woman, whom they took to be a pure and clean Maid, if she, not being so, did not declare the same to the King, it should be High Treason. And all who knew it and did not reveal it, were guilty of Misprison of Treason. And, if the Queen or the Wife to the Prince, should procure any Man, by Messages or Words, to know her carnally, or any other should be Solicitors for her in this Affair, they, their Counsellors and Abettors, should be adjudged as Traitors.

Bishop *Burnet* makes some Reflections on these two last Clauses in the Act; he writes, 'That it was thought extream cruel to be so severe to the Queen's Kindred, for not discovering her former ill Life: Since the making such a Discovery had been inconsistent with the Rules of Justice or Decency. The old Duchess of *Norfolk*, her Grandmother, had bred her up from a Child; and for her to go and tell the King that she was a Whore, when he intended to marry her, was a Thing unheard of. And, the not doing it, could not have drawn so severe a Punishment, from any but a Prince of that King's Temper. But the King pardoned her and several of the rest, tho' some continued in Prison when the rest were discharged.

'For the other Part of the Act, obliging a Woman to reveal her own former Incontinence if the King intended to marry her, it was thought a Piece of grievous Tyranny. Since, if a King, espe-

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King Henry VIII. ' especially one of so imperious a Temper as this
' was, should design such an Honour to any of his
' Subjects, who had failed in their former Life ;
' they must either defame themselves, by publish-
' ing so disgraceful a Secret, or run the Hazard of
' being afterwards attainted of Treason. Upon
' this, those that took an indiscreet Liberty to rally
' that Sex, unjustly and severely, said, that the
' King could induce none that was reputed a Maid
' to marry him. So that not so much Choice as
' Necessity put him on marrying a Widow about
' two Years after this (c).'

Acts pass'd.

The Journal gives the Titles of forty-four private and publick Acts, passed in this Session of Parliament ; the Statute Books only thirty-nine. What are the most remarkable, amongst these Acts, Lord *Herbert* hath extracted as follows :

' That they who under Colour of a false Token
' or counterfeit Letter got other Mens Money into
' their Hands, should be punished at the Discretion
' of those before whom they were convicted, any
' Way but Death.

' It was declared also, how many Stone-Horses
' every Man should keep according to his Degree.
' But this was afterwards repealed ; though yet of
' special Use in Defence of the Kingdom, when
' due Regard of the Persons were had.

' Further it was declared, who might also shoot
' in Guns and Cross-Bows.

' Moreover, That shooting with Bows and
' Arrows should be used, and unlawful Games
' debarred.

' The Order also for Punishment of Murder
' and Bloodshed in the King's Court, with all the
' Ceremonies thereof was set down ; the Occasion,
' it seems, being given by Sir *Edmond Knevet*,
' who being lately condemn'd to lose his Hand for
' this Fault, was yet pardoned.

' The Authority of the Officers of the Court of
' Wards and Liveries, was set down.

' That

(c) *Burnet's History of the Reformation*, Vol. I. P. 314. This
Act was repealed 1 E. VI. C. 12. 1 *Maria* I.

Of E N G L A N D. 185

‘ That in certain Cases there should be Trial of
 ‘ Treason in any County where the King by Com- King Henry VII.
 ‘ mission will appoint; and this saved much Trou-
 ‘ ble and Charges: For as divers Things were made
 ‘ Treason in this King’s Time, which yet were
 ‘ repealed afterwards; so the Lords of the Council
 ‘ were not only continually vexed with these Bu-
 ‘ fies, but the King at great Charges in remanding
 ‘ the Prisoners.

‘ That none should be Justice of Assize in his
 ‘ own Country.

‘ The Court of Surveyors of the King’s Lands,
 ‘ the Names of the Officers there, and their Autho-
 ‘ rity was set down.

‘ All Practice of Conjurage, Witchcraft and
 ‘ false Prophecy, was made Felony.’

On the first Day of *April*, the King came to the
 House of Lords, when we are only told by the
Journal, that the Parliament was prorogued, from
 that Day, to the third of *November* following.
 We shall only mention one Thing more, which
 happened during this Session, related by the noble
 Historian, as a Wrong done to the antient Privi-
 lege of Parliaments.

It seems, that a Member of the House of Com- Remarkable
 mons was arrested, in an Action of Debt, whilst Proceedings on
 the House was sitting. The King was no sooner the arresting a
 informed of this, than he not only permitted the Member of the
 Commons to release him, but he punished the House of Com-
 Offenders. The two Sheriffs of *London* were com- mons.
 mitted Prisoners to the *Tower*; one of the Bailiffs
 to a Place called *Little-Ease*, and the rest to *New-*
gate. By which Means, adds he, the King,
 whose Masterpiece it was to make Use of his Par-
 liaments, not only let Foreign Princes see the good
 Intelligence between him and his Subjects, but kept
 them all at his Devotion.

This is all the noble Historian says of this Mat-
 ter; but one of our antient Chronicles (*d*) is much
 more circumstantial about it: Because, says this
 Author, as the Case hath been diversely reported,
 and

King Henry VIII. and is commonly alledged as a Precedent for the Privilege of Parliament, he had endeavoured to learn the Truth thereof; and to set forth all the Circumstances, at large, from those, who, by their Instructions, ought best to know and remember it.

This Author tells us, that the Member's Name was *George Ferrers*, Esq; a Servant of the King's, and elected a Burgess for the Town of *Plymouth* in *Devonshire*. That one Day as he was going to the Parliament House he was arrested, by a Process out of the King's Bench, at the Suit of one *White*, for the Sum of two hundred Marks, for which he stood engaged, as a Surety, for one *Weldon*, of *Salisbury*; and carried to the Counter in *Broadstreet*. Sir *Thomas Moyle*, Knt. the Speaker, being inform'd of this, acquainted the House with it, who forthwith ordered the Serjeant at Arms, to repair to the said Prison and demand the Prisoner.

The Serjeant went immediately to the Counter, but the Clerks and Officers there were so far from delivering the Prisoner, that they forcibly resisted him; broke the Serjeant's Mace, and knocked down his Servant. During this Squabble, the two Sheriffs of *London*, *Rowland Hill* and *Henry Sucheliff*, came thither, to whom the Serjeant complained of this Abuse, and of them required the Delivery of the imprisoned Member; but, they, not only denied to deliver him, but treated the Serjeant very contemptuously; and he was forced to return without him to the House.

Finding the Members still sitting, the Serjeant declared to the Speaker all the Circumstances of his ill Usage; upon hearing of which, the whole House, among whom were several of the King's Privy Council and Chamber, would sit no longer without their Brother-Member, but rose up and went in a Body to the House of Lords, where their Speaker informed the Chancellor what a great Indignity was put upon them. The Lords and Judges there assembled, took the Contempt to be of a very high Nature, and referred the Punishment of it to an Order

Order of their own House. The Commons returning, after some Debate on the Case, soon came to a Resolution to send their Serjeant to the Sheriff's House, and require the Delivery of the Prisoner, without any other Warrant. For tho' the Lord Chancellor had offered his Writ to them, they refused it; as judging that their Commands were to be executed by their own Serjeant, with his Mace, without any other Authority.

But before the Serjeant at Arms came with this second Message, the Sheriffs had been told how heinously the Matter was taken; and therefore they now delivered the Prisoner to him, without any Hesitation. But the Serjeant's Orders went further; he charged the Sheriffs to appear personally before the House at Eight o'Clock the next Morning, and bring with them the Clerks of the Counter, and such other Officers as were concerned in the Affray.

The next Day the Sheriffs, &c. appeared at the Bar of the House, when the Speaker charged them with the Contempt and Misdemeanour, and commanded them to answer, immediately, without allowing them any Counsel; tho' Sir Roger Cholmley, Recorder of London, and others of the City-Counsel, offered to speak in the Cause. In the End, the Sheriffs and White, the Prosecutor, were committed to the Tower, and the rest to Newgate, as aforesaid. There they remained two Days, and then, on their own Petition, and at the humble Request of the Lord Mayor of London, and other Friends, they were discharged.

But, there still remained another Difficulty to settle. The said Ferrers, being condemned in the Debt, and lying in Execution for it, but released by the Privilege of Parliament, could not, by Law, be again put under Execution for the same Debt; and so the Party was left without Remedy for his Debt, as well against him as his principal Debtor. This knotty Point in Law was debated in the House for nine or ten Days together. At last it was resolved to make a particular Act, to revive the Execution of the said Debt against Weldon the Principal

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King Henry VIII. cipal, and to discharge *Ferrers* of it. This occasioned a Division in the House, and it was only carried for *Ferrers* by fourteen Voices.

The same Authority informs us, that the King, being advertis'd of these Proceedings, called before him the Lord Chancellor and his Judges, with the Speaker of the House of Commons, and several of the chief Members of that House; to whom he declared his Opinion to this Effect :

The King's
Speech on that
Occasion,

‘ He first commended their Wildoms in maintaining the Privileges of their House; which he would not have infringed in any Point. He alledged that he being the Head of the Parliament, and attending in his own Person on the Business thereof, ought, in Reason, to have Privilege, for himself and all his Servants, in Attendance on him. So that if *Ferrers* had been no Burgeiss, but only his Servant, in Respect of that he ought to have Privilege as well as any other. For I understand, says he, that you enjoy the same Privilege, not only for yourselves, but even for your Cooks and Horse-Keepers. My Lord Chancellor, here present, hath informed me, that when he was Speaker of the Lower House, the Cook of the Temple was arrested in London, on an Execution upon the Statute of *Staple*. And, because the said Cook served the Speaker in that Office, he was taken out of Execution, by the Privilege of Parliament. Likewise, the Judges have inform'd us, that we at no Time stand so high in our Estate Royal, as in the Time of Parliament; when we as Head, and you as Members, are conjoined and knit together into one Body Politic; so that whatsoever Injury is done or offered during that Time, against the meanest Member of the House, is judged as done against our own Person, and whole Court of Parliament. The Prerogative of which Court is so great, that, as our learned in the Laws inform us, all Acts and Processess, coming out of any other inferior Courts, must for that Time cease and give Place to the Highest.

‘ And

And, as touching the Plaintiff in this Cause, it was a great Presumption in him, knowing our Servant to be one of this House, and being warned of it before, still to prosecute this Matter, out of Time; and therefore was well worthy to lose his Debt, which I don't wish; and must commend your Equity, that having lost it by Law, you have restored the same against him that was his Debtor. And, if it be well consider'd what an Expence it hath been to ourself and you all, as well as Loss of Time, which should have been employed in Affairs of our Realm, to sit here near a Fortnight, about this one private Case, he may think himself better used than his Desert. This I hope will be a good Example to others, to learn better Manners; and not to attempt any Thing against the Privilege of this High Court of Parliament, but to stay for a proper Opportunity. This is my Opinion, and if I err, I must refer myself to the Judgment of our Lord Justices, here present, and the other learned of the Laws.'

Upon which, Sir *Edward Montacute*, Lord Chief Justice, very gravely gave his Opinion, confirming, by divers Reasons, all that the King had said; which was assented to by all the rest, no one speaking to the contrary.

In this Interval of Time, assigned by the last Prorogation, the Face of Affairs changed greatly in *England*; and the profound long Peace which the Nation had for many Years enjoyed, gave Way to War and Bloodshed. It first broke out against *Scotland*; the Grounds and Reasons of which may be seen in *Hall* and our larger Historians. *Henry* carried his Resentment so high against his Nephew *James*; as, amongst other Demands, to revive the Claim of Homage and Fealty, as due to him out of an ancient Title to that Crown.

War was proclaimed against *Scotland* in the Month of *October*, 1542; and when the Parliament met on the 3d of *November*, according to Prorogation, they were again adjourned to the 22d Day

A War with
Scotland and
France.

King Henry VIII. of *January* following. In this short Interval, a War with *France* was also resolved on; and, in order to raise Money to support the Expence of both, the Parliament was summon'd to meet, at the Time appointed, in order to sit to do Business.

Anno Regni 34, In the *Journals*, is no Opening of this second Session by the Lord Chancellor's Declaration, as usual. And, tho' the Houses continued sitting from the Time aforesaid, to the 12th Day of *May*, yet there are no particular Speeches, or Declarations, made by any of the great Officers of the Crown, to be found in those Records. On which last mentioned Day, the King came to the House of Lords, and again prorogued this Parliament to the 3d Day of *November* following.

1543.
At Westminster.

But, tho' there are no Speeches in the *Journals*, yet the Detail, or Catalogue of all the Statutes made in this Session, to the Number of forty-nine, (tho' there are but twenty-six given in the *Statute Books*) shew, that a good deal of Business was done in it.

Acts pass'd.

The principal Act that pass'd both Houses, had the Grant of another Subsidy from the Laity, included in it. It was ordered to be paid to the King, in three Years, after this Manner:

‘ They who were in Goods worth twenty Shillings and upwards to five Pounds, paid Four-pence of every Pound; from five Pounds to ten Pounds, Eight-pence; from ten to twenty Pounds, Sixteen-pence; from twenty and upwards, two Shillings. All Strangers, as well Denizens as others inhabiting here, double the Sum; Strangers not Inhabitants, that were sixteen Years old and upwards, paid Four-pence for every Head or Pole. As for Lands, Fees and Annuities, every Native paid Eight-pence in the Pound from twenty Shillings to five Pounds; from five Pounds to ten Pounds, Sixteen-pence; from ten Pounds to twenty Pounds, two Shillings; from twenty Pounds and upwards three Shillings; Strangers still after all these Rates doubling the Sum. As for the Clergy, they granted a Subsidy of six Shillings in the Pound, to be paid off their Benefices in Perpetuity, in three Years

Years following; And every Priest having no Perpetuity, but an annual Stipend, paid yearly, during the said three Years, six Shillings and eight Pence. Besides which, by occasion of a Dearth of Victuals, a Sumptuary Law was made, whereby the Mayor and Sheriffs of *London*, as also the Serjeants and Yeomen of their Houses, were limited to a certain Number of Dishes: They were also forbidden to buy certain Kinds of Fowl. Nevertheless, in regard of the great Confluence of People in this Parliament-Time, and the Scarcity of Fish, the King, by Proclamation, dispensed with eating of White-Meats in Lent, forbidding yet the eating of Flesh so strictly, that *Henry* Earl of *Surrey*, with divers Lords, Knights and Gentlemen, were imprisoned for offending herein.

The Preamble to the above Grant sets forth 'the Expence the King had been at in his War with *Scotland*, and for his other great and urgent Occasions.' By which was meant the War with *France*, which broke out, in earnest, the next Summer.

A Subsidy.

Cranmer, and the other Reformers, took this Opportunity to push on the great Affair of *Reformation*; and, tho' it was much opposed in Parliament, yet, *Burnet* informs us that his Resolution carried it through, tho' not in so clear a Method as he proposed it; for the Bill was clogg'd with many Provisos, which rendered it very much short of what he designed.

The Title of this Bill is, *An Act for the Advancement of true Religion, and Abolishment of the contrary.*

Act for Reformation of Religion.

The Preamble sets forth, 'That many seditious and ignorant People had abus'd the Liberty granted them for reading the Bible; and great Diversity of Opinions, Animosities, Tumults, and Schisms, have been occasioned by perverting the Sense of the Scripture. To retrieve the Mischiefs arising from thence, it is enacted, that a certain Form of orthodox Doctrine, consonant to the inspired Writings, and the Doctrine of the Catholick and Apostolick Church, shall be set forth as a Standard of Belief; that *Tindal's* false Translation of the Old and New Testament, and all other Books touch-

King Henry VIII. 'ing Religion in the *English* Tongue, contrary to
 ' the Articles of Faith, or that Summary of Doc-
 ' trine publish'd by the King in 1540, or any Time
 ' after during his Majesty's Reign, shall be suppress'd,
 ' and forbidden to be read in the King's Dominions.
 ' All Printers and Booksellers are prohibited print-
 ' ing or vending any of the said Books. The ex-
 ' posing the Doctrine of the Religion established, in
 ' Plays and Ballads, is likewise prohibited under deep
 ' Forfeitures and Imprisonment. All Books like-
 ' wise impugning the Holy Sacrament of the Altar,
 ' or maintaining the damnable Opinions of the A-
 ' nabaptists, are prohibited under Forfeitures and
 ' Fines. The reading the Bible is likewise prohibi-
 ' ed, to all under the Degrees of Gentlemen and
 ' Gentlewomen.' After this follows a Proviso of
 some Liberty. ' That it shall be lawful for all
 ' Persons whatsoever, to read or teach all such Doc-
 ' trine, as is or shall be set forth by his Majesty,
 ' since the Year of our Lord 1540. And also the
 ' Psalter, Primer, Pater-Noster, Ave, and Creed in
 ' *English*. And if any Spiritual Person shall preach
 ' or maintain any Thing contrary to the Doctrines
 ' above-mentioned, he shall recant for his first Of-
 ' fence, abjure for his second, and bear a Faggot ;
 ' and for a farther Relapse shall be adjudg'd an He-
 ' retick, suffer the Pains of Burning, and forfeit all
 ' his Goods and Chattels (b).
 ' There are two favourable Provisos upon this Act ;
 ' first, The Chancellor of *England*, Generals and
 ' Officers in the Field, the King's Justices, the
 ' Recorders of a City, or Town, the Speaker of
 ' the Parliament, and all other Officers, Justices
 ' and Ministers, which have been accustomed to de-
 ' clare any good or virtuous Exhortations in any
 ' Assemblies, may use any Part of the Bible as they
 ' have formerly (c), with this Limitation, that they
 ' did not raise any Discourse contrary to the Doctrine
 ' set

(b) *Statutes at large.* 34 Hen. VIII. Chap. I.

(c) To understand the Meaning of this Proviso, we are to observe, that it was usual for the Lord Chancellors, Judges, Recorders, &c. to take a Text for their Speeches upon publick Occasions. — Of this there are numberless Instances in the foregoing Sheets.

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* set forth, or to be set forth by his Highness.' King Henry VIII.

By another Proviso, it is enacted, That the King might alter or set aside the Act, or any Part of it.

'Bishop *Burnet* takes Notice of another Act pass'd this Parliament, which made way for the Dissolution of Colleges, Hospitals, and other Foundations of that Nature. The Courtiers, as he continues, had been practising with the Presidents and Governors of some of these Houses, to resign them to the King. The Resignations were penn'd in the same Stile with the Surrenders of Monasteries. Eight of these Instruments were procur'd and inroll'd. But the Progress of this Design was check'd by the local Statutes of most of these Foundations.' For by these Provisions no President, or any other Fellows, could make any such Deed of Alienation without the Consent of the whole Society: But such an unanimous Concurrence was not easily gain'd. All such Statutes were now null'd, and none for the future to be sworn to them (d).

We shall not trouble our Readers with the good or ill Effects of the *French* or *Scotch* War, so amply treated on by our more general Historians. How far the Parliament was concerned in any Thing relative thereto, is sufficient for our Design.

In the Year 1543, *Henry* thought fit to take another Wife; but being debarr'd, as it were, by the late Act, from marrying a Virgin, for no Lady was willing to run the Hazard of being thought otherways, he found himself obliged to marry the Lady *Catharine Parr*, Henry marries the Lord Latimer's Widow. Widow to the Lord *Latimer*, who was esteem'd a Lady of great Worth, and, being not over young, was a fit Match for his Bed. Soon after, *William Lord Parr*, her Brother, was made Earl of *Essex*, and others of her Relations preferr'd. In short, says Lord *Herbert*, the King lived apparently well with her for the most Part; but, adds he, all this seem'd nothing to him, unless he parted always in good Terms with his Parliaments; for he accounted a Parliament his most loyal Spouse; and not without

N 2

Reason,

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King Henry VIII. Reason, for he never desired any Thing of them which they did not perform. Some more Instances of which we meet with in the next Session, which Anno Regni 35, began, according to the *Journals*, *January* the 14th, 1544. without any Mention made of an Adjournment At Westminster: from the 3d of *February* last, to that Time (e).

We meet with nothing remarkable in the Beginning or Progress of this Session, but the Bill brought into the House of Lords, for altering the King's Stile or Title. Henry had thought fit, some Time before this, to assume to himself the Title of KING OF IRELAND; and had prevailed upon the Parliament there to recognize him as such. And, now being laid before the House of Lords, in *England*, they also pass'd it, and sent it down to the House of Commons. But, on the 4th of *February*, a Committee was sent from the Lower House, to desire a Conference with the Lords about it. The Names of these Commissioners were, Sir *Richard Rich*, Chancellor of the Court of Augmentations; Sir *John Baker*, Chancellor of the Exchequer, and Sir *Robert Southwell*, Keeper of the Rolls. The Lords readily agreed to this, and appointed twelve of their House, viz. the Archbishop of *Canterbury*, the Duke of *Norfolk*, the Lord *Russel* Lord-Privy Seal; the Earls of *Salisbury*, *Essex*, *Hertford*; Viscount *Lisle*; the Bishops of *Winchester* and *Westminster*; the Lords *St. John* and *Wriothesley*; who were to meet on the Morrow, at eight o'Clock in the Morning, with a Committee of the same Number, from the Commons, in the Parliament-Chamber, to consult together about this Business (f).

We

(e) In *December*, 1543, died *James* King of *Scotland*, King *Henry's* Nephew, and left an only Daughter, call'd *Mary*, afterwards Queen of *Scots*. Great Pains was taken by *Henry* to bring about a Match between this young Princess, and his Son Prince *Edward*, then about five Years old, in order to unite the two Kingdoms for ever. But tho' the Parliament of *Scotland* agreed to the Match, yet it prov'd abortive in the End, the *French* Politicks at that Time overweighing the *English*. *Speed* 782. There are some Forms of the Negotiations relating to this Match preserved in *RYMER's Fœd. Ang.* Tom. XIV. *Sub hoc Anno.*

(f) There are but eleven of the Lords named. The Copier of the *Journals* makes this Remark, That the Lord *Russel*, being Privy-Seal, and the Lord *St. John*, Chamberlain of the Household, were this Day, absent from the House; and yet, they were appointed Commissioners for this Conference. *Quod notandum*, for at this

De 22.

We are not told, by the *Journal*, what was done, or said, at this Conference ; but, that the next Day, the Bill for altering the King's Stile was sent from the Commons ; and the Clerk takes Notice that it must be a new Bill, probably, agreed upon by the Commissioners, since it was read, again, and passed in the House of Lords, as such. It was ordained by this Act, that the King's Stile of *King of ENGLAND, FRANCE and IRELAND, Defender of the Faith ; and, of the Church of ENGLAND, and, also, of IRELAND, in Earth, the SUPREME HEAD,* shall be united and annexed for ever, unto the Imperial Crown of this Realm of *England* (g). By this Act, also, it was declared, where and before whom, Treasons committed out of the Realm should be tried.

On the 7th Day of *February*, another Act, of still more publick Concern than the former, was brought into the House of Lords, and read a first Time. This was to settle the Succession to the Crown, after the Demise of the King ; whereby the Princess *Mary*, Daughter to *Katharine* his first Queen, was declared legitimate, and put under a Possibility of succeeding to the Throne. And, the whole Business was settled amongst his Children, in such a Manner, as far as by our Laws a King is warranted, that all Cause of Competition was taken away by it. The Act passed both Houses on the 16th, without any Opposition, as we suppose ; and since Bishop *Burnet* hath abridged it, we think it worthy of a Place in these Enquiries.

The Act contains, ' That the King being now ' to pass the Seas, to make War upon his ancient ' Enemy the *French* King, and being desirous to ' settle

Act for settling the Succession to the Crown.

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Day, viz. *Tempore Jacobi*, and in the Time of the late Queen *Elizabeth*, of famous Memory, by the Order and Custom of the House, none may be made a Commissioner, in any Bill, who is not present at such a Nomination : Except the Matter of the Bill do concern some Office, or special Occasion, wherein such absent Person is employed.

(g) *Rapin* and his Annotator, are both guilty of a Mistake, in asserting, that the Title of *King of Ireland* was confirmed in the 33d Year of his Reign. *Vide Hist. of ENGLAND, Vol. I. p. 831. N. II.*

King Henry VIII. ' settle the Succession to the Crown ; it is enacted
 ' that in Default of Heirs of Prince *Edward's* Body,
 ' or of Heirs by the King's present Marriage, the
 ' Crown shall go to the Lady *Mary*, the King's
 ' eldest Daughter : And in Default of Heirs of
 ' her Body, or if she do not observe such Limita-
 ' tions or Conditions as shall be declared by the
 ' King's Letters Patents under his Great Seal, or
 ' by his last Will under his Hand, it shall next fall
 ' to the Lady *Elizabeth*, and her Heirs ; or if she
 ' have none, or shall not keep the Conditions de-
 ' clared by the King, it shall fall to any other that
 ' shall be declared by the King's Letters Patents,
 ' or his last Will signed with his Hand. There
 ' was also an Oath devised, instead of those former-
 ' ly sworn, both against the Pope's Supremacy, and
 ' for maintaining the Succession in all Points ac-
 ' cording to this Act : Which, whosoever refused
 ' to take, was to be adjudged a Traitor ; and who-
 ' soever should, either in Words, or by Writing,
 ' say any Thing contrary to this Act, or to the
 ' Peril and Slander of the King's Heirs, limited in
 ' the Act, was to be adjudged a Traitor.' This was
 done, no doubt, upon a secret Article of the Treaty
 with the Emperor ; and did put new Life into the
 Popish Party, all whose Hopes depended on the Lady
Mary. But how much this lessened the Preroga-
 tive, and the Right of Succession, will be easily
 discerned ; the King in this effecting an unusual
 Extent of his own Power, though with the Diminution
 of the Rights of his Successors.'

March the 29th, when the whole Business of this
 Session was expedited ; the Lords, in their Parlia-
 ment-Robes, and the whole House of Commons,
 with their Speaker, all waiting the King's coming
 to put an End to it ; the Duke of *Norfolk*,
 Lord Treasurer, in the Absence of the Lord
 Chancellor, who was then on his Death-Bed, ac-
 quainted the House, ' That the King was pre-
 ' vented from coming to them, by some urgent
 ' Business that required Dispatch ; but, that his
 ' Majesty, considering how long this Session had
 ' lasted

‘ lasted, and that none had absented from it, with King Henry VIII.
 ‘ the Expence that must attend such a Stay. Like-
 ‘ wise, the great Labour and Pains they had taken
 ‘ in framing a Set of new Laws, which his Majesty
 ‘ had carefully perused. Therefore, he had, first,
 ‘ commanded him to acquaint them, in his Majesty’s Name, that he sincerely thought them no
 ‘ less good Subjects to him than useful ones to the Other Acts pas-
 sed by Commis-
 sion.
 ‘ Republic. That his Majesty had, also, com-
 ‘ manded him to praise their studious and honest
 ‘ Intentions; not doubting, but that their Prac-
 ‘ tice and his Love to them for it would ever con-
 ‘ tinue. Lastly, the Duke said, he, an humble
 ‘ Subject, was commanded to tell them in his Ma-
 ‘ jesty’s Name, that to all the Bills which they
 ‘ had got ready, he would give his Royal Assent.
 ‘ Adding, that his most Serene Highness had not
 ‘ done this, only, by his Mouth, but had also sent
 ‘ his Letters Patents to confirm it.’

After which, follows a Copy, in *English*, of the Letters Patents, wherein is recited the Titles of all the Bills that were to be by the Royal Assent passed into Statutes. Which being read by the Clerk of Parliament, the whole Assembly, says the *Journal*, burst out into loud Praises and Encomiums on their good King, who thought his Subjects worthy of such good Laws. Then the Duke of *Norfolk* proceeded to tell them, ‘ That now they were all sensible in what good Part his Majesty had taken their Labours, by condescending to give his Royal Assent to all and singular their Bills, none but one, relating to the Reserving of Tenures, excepted; which was then ordered to be cancelled. The Duke, lastly, told them, ‘ That his Majesty thought this ‘ a fit if not a necessary Opportunity, that every ‘ one of them should return to their own Homes. ‘ The Wars now breaking out on every Side, and ‘ his Majesty intending this Summer, by God’s ‘ Grace, to assert his just Right to his Patrimony ‘ in *France*, their longer Stay might be a Hindrance ‘ to his Preparation; he had therefore granted his ‘ Letters Patents to commission certain Lords to

King Henry VIII. 'dissolve this Parliament; which, after reading
' of the said Commission, was dissolved accordingly.'

Mr. *Collier* informs us, That during this Session Sir *John Gostwick*, Knight of the Shire for the County of *Bedford*, made a Speech in the House, against Archbishop *Cranmer*; charging him with encouraging novel Opinions, and that his Family was a Nursery of Heresy and Sedition. Bishop *Gardiner* was supposed to be the chief Promoter in this Business. This Speech of *Gostwick*'s being of the Nature of an Impeachment, several Lords of the Privy Council moved the King, that since *Cranmer* lay under an Imputation of so high a Nature, he might be dismissed from the Board, and committed to the Tower, 'till Inquiry was made into the Truth of what was commonly reported. For, they said, the admitting the Archbishop to the Privy Council would discourage Informations. But, the King, adds our Author, happening to penetrate into the Matter, found that there was more Art than Truth in their Clamours against *Cranmer*, and therefore dismissed the Business.

In the *Journals* are the Titles of twenty-five publick and private Acts; in the *Statute-Books*, only eighteen. An Abstract of the most material, are given by Lord *Herbert*, as follows:

'That no Person should be put to his Trial upon any Accusation concerning any of the Offences comprized in the Statute of the Six Articles 31 *Hen.* 8. 14. but only upon such as shall be made by the Oath of twelve Men before Commissioners authorized: And the Presentment shall be made within one Year after the Offence committed. That no Person shall be arrested or committed to Ward for any such Offence before he be indicted. That if any Preacher or Reader shall speak any Thing, in his Sermon or Reading, contrary to any Matter contained in the Six Articles, he shall be accused or indicted thereof within forty Days, or else shall be discharged of the said Offence. And this also qualified a little the Punishment of the Six Articles.

'That

‘ That the Lords and Commons shall remit unto the King, all such Sums of Money as he had borrowed of them since the first of *January, Anno 33.* of his Reign. King Henry VIII.

‘ That certain Tenures shall be reserved, at the King’s Pleasure, upon Houses and Lands, being sometimes Abbey Lands, under Forty Shillings a Year.

‘ That all Persons which have any Houses, Lands, Gardens, and other Grounds in the Town of *Cambridge*, adjoining upon every High Way, Street, or Lane, in his own Right, or the Right of his Wife, &c. shall cause the same to be paved with paving Stone unto the Middle of the same Ways, and in Length as their Grounds do extend; and so shall, from Time to Time, maintain them, upon Pain to forfeit Six-Pence for every Yard square not sufficiently paved, to the King and Informer. And had this Statute extended to the other Cities and great Towns of *England*, it would have been much to the Beauty of them, and Commodity of Passengers.

‘ That the King shall have Authority, during his Life, to name two and thirty Persons; *viz* sixteen Spiritual, and sixteen Temporal, to examine all Canons, Constitutions, and Ordinances Provincial and Synodal, and to establish all such Laws Ecclesiastical as shall be thought, by the King and them, convenient to be used in all Spiritual Courts. But this, it seems, expired with the King’s Life (*b*).

‘ An Ordinance also (never sufficiently to be commended) was made for Preservation of Woods, which being too long and particular to rehearte, I shall desire the Reader to peruse in his Place: There being no Law either more useful to this Kingdom, in regard of our Navy and otherwise, or whereof the Infraction can with more Difficulty be repaired; so many Years, if not Ages, being required before

Q 3

they

(*b*) It appears by the *Journals*, that this Bill was read four Times in the House of Lords, between the 19th and the 24th of *January*.

King Henry VIII. they can come to that Growth, which any rash Hand may cut down in a very short Space.'

Levies and Preparations were now made to carry on the War, both against *France* and *Scotland*; and, over the latter Kingdom *Henry's* Army gained great Advantages, by the taking and burning of *Edinburgh*, and other Towns in that Neighbourhood. Nor was he less solicitous about *France*, having transported an Army of 30,000 Men to *Calais*, and actually, went over to conduct the War in Person.

Lord *Herbert*, and the larger *English* Historians, may be consulted for a particular Account of these Wars. Whatever the Success was, it may well seem not to be worth the Expence, when the King's Necessities drove him to very mean Ways to raise Money for carrying it on. For, though he had much enriched himself with the Revenues of the suppress'd Abbies; and, besides, had great Subsidies and Loans from his Subjects; yet, Fortifications, Shipping, and other Provisions had exhausted his Treasure. Add to this, he found out that his crafty Neighbours had well nigh drained his Kingdom of the current Money, whilst they made great Advantage of it in their own. To remedy which Evil, the King both enhaunced our Gold from forty-five Shillings to forty-eight an Ounce; and Silver, from three Shillings and nine Pence to four Shillings. He, likewise, caused some new-coined base Money to be made current, though not without much Murmuring. He had borrowed, also, divers Sums of Money, of different People, giving them Privy Seals for their Security. But, all not supplying the vast Expence of the War, *Henry* set on Foot the old Practice of raising Money by a *Benevolence*; and, in the Year 1544, he appointed Commissioners to collect it, beginning at *London* with the Lord-Mayor and Aldermen. It is remarkable, that, amongst those Magistrates, there was one, called *Read*, that refused to pay his Share. On which he was seized and sent to serve in the War against the *Scots*; where in the Battle at *Ancram*, the next Spring, he was slain. Many excused themselves, also,

Money rais'd by
a Benevolence,
for carrying on
the War.

also, by their Penury; in regard the King had taken King Henry VIII. up so much Corn from them, this Year, for his Use, and, not, as yet, paying for it; so that, in Effect, this *Benevolence* raised not so much Money as *Henry* expected, and what was collected came with much Grudging (*i*).

All these Ways and Means, not answering the intended Purpose, *Henry* had Recourse to his old Friends the Parliament, who, in the Course of his whole Reign, never refused him any Thing he asked of them. Accordingly, Writs were sent out for a Par-

(*i*) A *Benevolence* granted to the King by the Subjects, upon Commission to all the Counties. 35 Henry VIII. Anno 1544. Taken from STRYKE's *Appendix of Records*, No. CXIX. in his *Eccles. Mem.* Vol. I.

Counties.	Benevolence.			Counties.	Benevolence.		
	l.	s.	d.		l.	s.	d.
Cestr. cum Civit.	640	6	8	Dorset.	1413	3	4
Bedford.	1100	0	0	Surr.	2453	15	2
Buck.	1261	18	8	Suffex.	2379	5	2
Bristol.	365	11	4	Southt.	1443	0	4
Cant.	1788	14	10	Warwic.	1641	16	4
Hunt.	650	13	8	Leic.	629	14	0
Cornub.	643	2	0	Wilts.	1769	5	8
Cumbre.	57	15	8	Wigorn.	1573	13	0
Devon.	4527	2	4	Civit. Lond.			
Essex.	5251	18	0	Ebor.			
Hertford.	680	18	0	Northum.			
Gloucestr.	2528	19	4	Westmor.			
Heref.	1155	12	8	Dunelm.			
Kant.	6471	8	0	W A L L I A.			
Lanc.	680	2	2	Anglef.	195	13	10
Lincoln.	2176	15	8	Brecon.	161	1	8
Midd.	2386	9	0	Caroigan.	186	1	4
Monmouth.	233	12	0	Carmarthen	218	12	4
Northt.	2408	16	4	Carnarvon.	136	13	0
Nott.	432	2	4	Denbigh.	332	9	11
Derb.	438	9	4	Flint.	163	19	0
Norf.	4046	7	0	Glamorgan.	316	13	0
Suff.	4512	6	1	Merioneth.	108	16	4
Oxon.	1241	14	0	Mountgom.	114	11	8
Berch.	1407	2	10	Radnor.	77	13	4
Rutland.	136	0	0	Pembroke.	341	16	0
Salop.	875	14	4	Haverford West	91	00	0
Staff.	464	4	2				
Somerset.	6807	13	4	Sum. Total.	70,723	18	10

King Henry VIII. a Parliament to meet at *Westminster*, on the 23d
 Anno Regni 37. Day of *November*, in the 37th Year of his Reign.
 1546.

The Clerks have, again, neglected to insert the initiating Speeches and Ceremonies, at the opening of this Parliament, in the *Journal*; and we meet with nothing more than the Names of the Peers, and the Receivers and Tryers of Petitions.

November the 27th. A Bill was brought into the House of Lords for the abolishing of Heresies, and of some Books tainted with false Opinions. It was read a first Time, and committed to the Archbishop of *Canterbury*, the Lord *Pawlet*, Grand Master of the Household; the Earls of *Hertford* and *Shrewsbury*; the Bishops of *Ely*, *Sarum* and *Worcester*; the Lords *De la Ware*, *Morley* and *Ferrers*, for Examination.

This was a good Beginning, but it served, only, as introductory to worse Matters; for on the 14th of *December*, a Bill was brought up to the House of Lords, from the Commons, by Sir *Thomas Cheney*, Treasurer of the Household, and others of the principal Members of that House, for granting a Subsidy to his Majesty. And the next Day, another Bill was read a first Time, for the Dissolution of all Colleges, Chantries, Hospitals, Free Chapels, &c. Which two Bills passed both Houses, without any Opposition.

A Subsidy; and
 an Act for the
 Dissolution of all
 Colleges, Hospi-
 tals, &c.

The Subsidy was two Shillings and eight Pence in the Pound on Goods, and four Shillings in the Pound on Land, to be all paid within two Years. The Clergy also granted six Shillings in the Pound, which was afterwards confirmed, as the Custom then begun, by the whole Parliament.

But the Bill for the Dissolution of Colleges, &c. made much more Noise in the World; and as Lord *Herbert* well observes, nothing could be pleaded in Excuse for it but the King's Necessities, which every Man must think violent, when, adds he, they retrenched upon the reverend Foundations of Colleges, Free-Chapels, Chantries, Hospitals, Fraternities, Brotherhoods, Guilds, and Stipendiary Priests, which had Continuance in Perpetuity. Together with

with all their Manors, Lands, and Hereditaments, King Henry VIII. which were now committed to the King's Disposal; and that they should be in the Order and Survey of the Court of *Augmentations*; the Right to others yet saved, and several Provisions yet made. The Motive for bringing in this Bill was alledged to be the King's great Charges in his Wars with *France* and *Scotland*; as, also, the Abuses of the Rulers and Governours of the said Colleges, &c. Upon which and the King's solemn Promise to the Parliament, that *all should be done to the Glory of God, and common Profit of the Realm*; the Bill was passed (k).

By this it appears how liberal the Parliament was in giving away other Men's Goods; and it may be reasonably believed, that in dissolving and giving up the Chantries, &c. they would, if it had been required, have given up the Churches also, where they were founded.

There are no less than thirty-two Titles of Acts, passed in this Parliament, in the *Journals*; the *Statute Books* give us only twenty-five. The other Bills, of any Significancy, which were passed into Statutes, this Session, are these;

‘ An Act, how Offenders in Usury should be punished; and a certain Proportion of Ten in the Hundred was limited. Which yet, had it been lower, would have made Lands more valuable, Merchandize and Victuals cheaper, and adventuring by Sea more frequent: That lazy Way of Thriving being more opposite than any Thing else to that Industry, by which all Kingdoms subsist and flourish.

Other Acts.

‘ That where a full Jury did not appear, a *Tales* might be granted *de Circumstantibus*: And this was much for the Expedition of Justice.

‘ That whereas the Lord Chancellor of *England*, Lord Treasurer, Lord President of the King's Council, Lord Privy Seal, and the two Chief Justices,

III. stices, or five, four, or three of them should have Power by their Discretions to set the Prices of all Kind of Wines, as by the Act 28 *Hen. 8.* 14. appeareth: The Time was now specified to be betwixt the 20th of *November* and last of *December*: And that if any Wine-Seller should sell his Wine, in Gross, at any other Price, that the Mayor, Bailiffs, Aldermen, &c. may enter into his House, and sell it according to the Rate set down.

By another Act threescore and ten Mannors are assur'd to the Crown belonging to the Archbishoprick of *York*. The Act mentions, Archbishop *Holgate* had sold and convey'd all these Mannors to the King the Year before. It is said *Holgate* had several Lands, Tenements, and other Hereditaments, in Exchange, but not so much as one Mannor is mentioned. Mr. *Collier* observes the Church in this Reign, the next, and Queen *Elizabeth's*, made generally ill Bargains with the Crown, and barter'd at *Glaucus's* Disadvantage. But then as these Princes bought very cheap of the Prelates, they sold with the same Frankness to their Favourites.

By this Statute it appears, *Cranmer* had convey'd about a Dozen Mannors and Parks to the Crown, which Sales are now confirm'd. *Bonner* Bishop of *London*, had likewise sold, given, and granted to the King, the Mannors of *Chelmsford* and *Craundon*, with all their Appurtenances. This Mannor and Park of *Craundon*, the King had granted to Sir *William Petre*. The King's Title and Sir *William's*, are secur'd by this Statute. Farther; Doctors of Civil Law, whether married or unmarried, are enabled to exercise all Manner of Ecclesiastical Jurisdiction, and all Censures and Coercion appertaining, or any way belonging to the same. This Statute sets forth, that Archbishops, Bishops, Archdeacons, and other Ecclesiastical Persons, have no Manner of Jurisdiction Ecclesiastical, but by, under, and from his Royal Majesty. And that his Majesty is the only undoubted Supreme Head of the Church of *England* and *Ireland*, to whom by Holy Scripture, all Authority and Power is wholly given, to hear
and

and determine all Manner of Causes Ecclesiastical, and to correct Vice and Sin whatsoever, and to all such Persons as his Majesty shall appoint thereunto.

‘ Lastly, a Bill passed for the Union of two Churches not above a Mile distant, provided the yearly Value did not exceed six Pounds in the King’s Books. But here there is a Proviso, that no Union or Consolidation should be made in any City or Town Corporate, without the Consent of the Mayor, Sheriffs, and Commonalty.’

The Parliament continued to sit till *Christmas-Eve*, when the King came to the House, passed Bills, and prorogued it to the 4th Day of *November*, in the next Year. This is all that is entered in the *Journals*; but Historians are not so silent, for we are told, that after the Speaker of the House of Commons had made an elegant Oration, on presenting the Bills to the King, His Majesty, in Person, made the ensuing Answer. Which, says the noble Historian, is the more memorable, since it was both full of good Intention and Advice, and the last he ever spoke in that Place. And, we may add the first too, since we have not met with any Speech hitherto, that was spoke by this King in Parliament (1).

Although my Chancellor for the Time being, hath before this Time used very eloquently and substantially to make Answer to such Orations, as hath been set forth in this High Court of Parliament; yet is he not so able to open and set forth my Mind and Meaning, and the Secrets of my Heart in so plain and ample a Manner, as I myself am, and can do. Wherefore, I taking upon me to answer your eloquent Oration, Mr. Speaker, say that where you, in the Name of our beloved Commons, have both praised and extolled me, for the notable Quality that you have conceived to be in me, I

The King’s Speech at proroguing the Parliament.

(1) This Speech is in *Hall’s Chronicle*, who very probably heard it, for he says, it is as near taken as he is able to report it. *Fel. CCLXI.*

Bishop *Burnet* says, that he cannot sufficiently wonder that no Entry is made in the *Journals*, of the House of Lords, of this Speech; yet it is not to be doubted but *Henry* made it, since, adds he, it was published by *Hall* soon after.

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I most heartily thank you all, that you have put me in Remembrance of my Duty; which is, to endeavour my self to obtain, and get such excellent Qualities and necessary Virtues, as a Prince or Governor should, and ought to have; of which Gifts I recognize myself both bare and barren; but of such small Qualities as God hath endowed me withal, I render to his Goodness my most humble Thanks, intending with all my Wit and Diligence, to get and acquire to me such notable Virtues, and princely Qualities, as you have alledged to be incorporated in my Person. These Thanks for your loving Admonition and good Counsel first remembering, I esteems thank you again, because that you considering our great Charge, not for our Pleasure, but for our Defence; not for our Gain, but to our great Cost, which we have lately sustained; as well in Defence of your and our Enemies, as for the Conquest of that Fortrefs, which was to this Realm most displeasing and noisome, and shall be, by God's Grace, hereafter to our Nation most profitable and pleasant; have freely of your own Minds granted to us a certain Subsidy here in an Act specified, which, verily, we take in good Part, regarding more your Kindness, than the Profit thereof; as he that setteth more by your loving Hearts than by your Substance. Besides this hearty Kindness, I cannot a little rejoice, when I consider the perfect Trust and Confidence which you have put in me, as Men having undoubted Hope, and unfained Belief in my good Doings, and just Proceedings for you; mine Order and Disposition, all Chuntries, Colleges, Hospitals, and other Places specified in a certain Act, firmly trusting that I will order them to the Glory of God, and the Profit of the Commonwealth. Surely, if I, contrary to your Expectation, should suffer the Ministers of the Church to decay; or Learning, which is so great a Jewel, to be minished; or poor and miserable to be unrelieved; you might say, that I being put in so special a Trust, as I am in this Case, were no trusty friend to you, nor charitable to mine, nor even a Christian, neither a Lover of the publick Wealth, nor yet one that feared God, to whom Account must be rendered of all our

*our Doings. Doubt not, I pray you, but your Ex- King Henry VIII.
pectation shall be served more godly and goodly, than you
will wish or desire, as hereafter you shall plainly per-
ceive (m). Now, since I find such Kindness on your
Part towards me, I cannot chuse but love and favour
you; affirming, that no Prince in the World more fa-
voureth his Subjects than I do you, nor no Subjects or
Commons more loved and obeyed their Sovereign Lord,
than I perceive you do me; for whose Defence my Trea-
sure shall not be hidden, nor if Necessity require, my
Person shall not be unadventured. Yet, although I
wish you, and you wish me to be in this perfect Love
and Concord; this friendly Amity cannot continue, ex-
cept both you my Lords Temporal and my Lords Spi-
ritual, and you my loving Subjects, study and take
Pains to amend one Thing, which surely is amiss, and
far out of Order, to which I most heartily require you,
which is, that Charity and Concord is not among you,
but Disorder and Dissention beareth Rule in every
Place. Saint Paul saith to the Corinthians, in the
13. Ch. Charity is gentle, Charity is not envious,
Charity is not proud, and so forth, in the said Chap-
ter. Behold then, what Love and Char-ty is among
you, when the one calleth another Heretick and Ana-
baptist, and he calleth him again Papist, Hypocrite,
and Pharisee; be these Tokens of Charity amongst you,
are these Signs of fraternal Love between you? No,
no, I assure you that this Lack of Charity amongst
yourselves, will be the Hinderance and Affwaging of
the fervent Love between us, as I said before, except
this Wound be salved, and clearly made whole. I must
needs judge the Fault, and Occasion of this Discord, to
be partly by Negligence of you, the Fathers and Preach-
ers of the Spirituality: For if I know a Man which
liveth in Adultery, I must judge him a lecherous, and
a carnal Person: If I see a Man boast and brag him-
self I cannot but deem him a proud Man. I see, here,
daily, that you of the Clergy preach one against another,
teach*

(m) This was a solemn Engagement, says Bp. GOODWIN, *Caterum Pro-
missorum Fidem nondum executam videmus i. e. The Event did not
come up to the Promise.* GOODWIN, *Annal.* ad An. 1545.

King Henry VIII

teach one contrary to another, envy one against another, without Charity or Discretion; some be too stiff in their old Mumpsimus, others be too busy and curious in their new Sumpsimus. Thus all Men, almost, be in Variety and Discord, and few or no Preaching truly and sincerely the Word of God, according as they ought to do. Shall I judge you charitable Persons doing this? No, no, I cannot do so: Alas! how can the poor Souls live in Concord, when you, Preachers, sow amongst them, in your Sermons, Debate and Discord? Of you they look for Light, and you bring them to Darknes. Amend these Crimes, I exhort you, and set out God's Word, both by true Preaching, and good Example-giving; or else, I, whom God hath appointed his Vicar and High Minister here, will see these Divisions extinct, and these Enormities corrected, according to my very Duty, or else I am an unprofitable Servant and an untrue Officer. Although I say, the Spiritual Men be in some Fault, that Charity is not kept amongst you, yet, you of the Temporality, be not clear and unspotted of Malice and Envy; for you rail at Bishops, speak scandalously of Priests, and rebuke and taunt Preachers, both contrary to good Order, and Christian Fraternity: If you know, surely, that a Bishop or Preacher erreth, or teacheth perverse Doctrine, come and declare it to some of our Council, or to us, to whom is committed, by God, the High Authority, to reform and order such Causes and Behaviours; and be not Judges, yourselves, of your fantastick Opinions, and vain Expositions; for in such high Causes, you may lightly err. And, although you be permitted to read Holy Scripture, and to have the Word of God in your Mother-Tongue, you must understand, it is licensed you so to do, only to inform your own Consciences, and instruct your Children and Family; and not to dispute and make Scripture a railing and taunting Stock against Priests and Preachers, as many light Persons do. I am very sorry to know, and hear, how unreverently that most precious Jewel, the Word of God, is disputed, rhimed, sung, and jangled, in every Ale-House and Tavern, contrary to the true Meaning and Doctrine of the same; and yet I am even as much sorry, that the Readers of the same, follow
it,

it, in doing it so faintly, and coldly; for of this I am sure, that Charity was never so faint amongst you, and virtuous and godly Living was never less used, nor God himself, amongst Christians, was never less revered, honoured or served. Therefore, as I said before, be in Charity one with another; like Brother and Brother love; dread and fear God; to the which I, as your Supreme Head, and Sovereign Lord, exhort and require you; and then I doubt not but that Love and League, that I spake of in the Beginning, shall never be discouraged, or broken between us. To the making of Laws which we have now made and concluded, I exhort you, the Makers, to be as diligent in putting them in Execution, as you were in making and furthering of the same; or else your Labour shall be in vain, and your Commonwealth nothing relieved. Now to your Petition concerning our Royal Assent to be given to such Acts, as have passed both the Houses, they shall be read openly, that ye may hear them.

King Henry VIII.

When this Session of Parliament was ended, and the two Universities given to understand that their Colleges were at the King's Disposal: That of Cambridge first implored his Favour, beseeching him to defend their Possessions from the covetous and greedy Minds of ignorant and unlearned Men. The University of Oxford petitioned, also, to the same Purpose, and Dr. Cox, Dean of Oxford, Tutor to the Prince, wrote to Secretary Paget, 'to represent the Want of Schools, Preachers, Hospitals for Orphans, &c. And, since the Disposition of Chantries, &c. was in the King's Hands, to obtain that the Clergy might be honestly provided for; lest Beggary should drive them to Flattery, Superstition and old Idolatry. Which, adds he, I speak not as if I distrusted the King's Goodness; but, because there are such a Number of importunate Wolves, as are able to destroy Chantries, Cathedral Churches, Universities, and a thousand Times as much, which Posterity will wonder at (n).' In short, the two Universities were fav-

The two Universities petition against the late Act for their Dissolution.

ed

King Henry VIII. ed from Plunder, but the Chantries, &c. went down, the Lands belonging to all which being sold, must raise a prodigious Sum of Money; but, tho' Henry was now in the last Year of Life, we do not find that much of this Treasure was left to his Successor.

Anno Regni 38.
1547.

The *Journal* furnishes us with another Session of this Parliament, which as hath been said, was prorogued to the 4th of *November*, but was again adjourned to the 14th of *January* following, when they met to do Business. Lord *Herbert* hath not one Word of this last Session, tho' some Things of a publick Concern were transacted in it (o).

The Duke of Norfolk and his Son the Earl of Surrey attainted.

On the 18th of the same Month a Bill was brought into the House for the Attaindure of *Thomas Duke of Norfolk*, and *Henry Earl of Surrey*, his Son. It was read a first Time, and committed to the King's Solicitor-General for Examination. The Bill passed the House of Lords the 20th of *January*, and was returned, passed by the Commons, on the 24th.

On the 27th of the same Month, the Lord Chancellor, now the Lord *Wriothesley*, ordered all the Peers to put on their Parliament Robes, and that the Commons, with their Speaker, should be called before him. Which done, the said Chancellor declared to both the Houses, That it was his Majesty's Desire, for certain Reasons, that they should expedite the Bill for the Attaindure of *Thomas Duke of Norfolk*, and *Henry Earl of Surrey*, as fast as possible. And for this Cause chiefly, that the King might be enabled to bestow the Office of Earl *Marshall*, we suppose, born by the said Duke, on some other, who by just Right might execute it at the Ceremony of the Creation of Prince *Edward*, then

(o) Bishop *Burnet* makes this a new Parliament, when it is plain by the *Journals*, which he had seen, that it was only a Continuance of the last. He writes, That the Reason for calling it was pretended to be for the Coronation of the Prince of *Wales*. He should have said, For the Creation of Prince *Edward* to that Dignity; the Robes and Ornaments being now preparing for that Purpose, but was prevented by the King's Death.

See *HEYLIN's History of the Reformation*, p. 82. and 84.

then approaching. Which Bill all the Lords and King Henry VIII. Commons had already passed; and therefore, because the King was hindered by Sickness from coming to the House, to give his Royal Assent to the same, his Majesty had directed a Commission to him and other Lords, there sitting, in his Name to give the Royal Assent to the said Bill (p). Which Commission, dated January 27, in the thirty-eighth Year of his Reign, signed with the King's
VOL. III. P Hand

(p) This was the last Act of State that Henry ever executed, being sign'd by him only the Day before he died; and being also a strong Instance, that the Cruelty of his Temper continued with him to the last, we think deserves a Place in these Inquiries. It stands in RYMER's *Publick Acts*, Tom XV. p. 118. under this Title:

Commissio ad præbendum Assensum Regium in Parlamento.

Rex prædilectis et fidelibus Consiliariis suis, Thomæ Wriothesley, sacri Ordinis Garterii Militi, Domino Wriothesley, Domino Cancellario Angliæ; Willielmo Poulet ejusdem sacri Ordinis Garterii Militi, Domino Seynt John, Magno Magistro et Senascallo Hospitii nostri ac Presidenti Consilii nostri; Johanni Russel, ejusdem sacri Ordinis Garterii Militi, Domino Russel, Custodi Privati Sigilli nostri; ac corrisissimo Consanguineo suo Edwardo Comiti Hertfordiæ, ejusdem sacri Ordinis Garterii Militi, magno Camerario Angliæ, Salutem.

Cum quædam Petitio, Formam Actus Attinens versus Thomam Ducem Norfolkchiæ, et Henricum nuper Comitem Surrie, continens, nobis in præsentî Parlamento nostro exhibita extiterit, ac Domini et Magnates et Communitas Regni nostri Angliæ in eodem præsentî Parlamento nostro existentes, super Petitione prædicta, ac de et super omnibus et singulis Contentis et specificatis in eadem plenarie et totaliter conclusissent et concordaverint.

Nos eidem Petitioni, necnon omnibus et singulis in eadem conclusis et concordatis, Regium nostrum Assensum et Consensum duximus adhibendum et præbendum.

Sciatis igitur quod Nos, de Fidelitatibus, Industriis, et providis Circumspectionibus vestris plurimum confidentes, assignavimus vos et tres vestrum plenam Potestatem et Auctoritatem ac Mandatum speciale, Petitioni prædictæ, nec non omnibus et singulis conclusis et concordatis in præsentî Parlamento prædicto, super eadem Petitione nostrum Regium Assensum et Consensum adhibendi et præbendi.

Et ideo vobis mandamus quod circa Præmissa diligenter intendatis, ac ea faciatis et exequamini indilate cum Effectu.

Significamus enim, Tenore Præsentium, omnibus et singulis Dominis et Magnatibus, ac Communitati dicti nostri Regni Angliæ, in prædicto præsentî Parlamento existentibus, nos ratum, gratum et firmum habentes et habituros totum et quicquid vos vel tres vestrum feceritis vel fecerint Nomine nostro in Præmissis.

In cujus Rei, &c.

Teste Rege apud Westmonasterium,

Die Januarii, Anno

Regni suo tricesimo octavo.

N. B. The Date of the Day is omitted in Rymer, perhaps because it was obliterated in the Original; but it was Jan. 27th, and Henry died the next Day.

King Henry VIII. Hand and under the Broad Seal being read, the Lord Chancellor commanded the Clerk of Parliament to pronounce the usual Words, *Soit fait come il est désiré.* And thus the Bill passed into a Statute.

Lord *Herbert* hath given the whole Proceedings in Council, and before a Jury, of the Duke of *Norfolk's* and his Son the Earl of *Surrey's* Examination and Trial, to whom we refer. The long and faithful Services, both of Father and Son, to the Crown, could not, it seems, screen them from the King's Jealousy; who thought them so popular, and so nearly related to the Blood Royal, that they might injure the Succession, if he left them alive behind him. And, *Henry* finding himself decay very fast, was the Occasion of driving this Bill so quick, through both Houses, against them. The Earl of *Surrey* was beheaded on *Tower-Hill*; and it is thought the Duke of *Norfolk*, notwithstanding his Submission and long Services, would not have escaped, had not the King's Death reserved him to more merciful Times. For, four Days after signing the Commission for passing the Bill, *viz. January 31*, the Lord Chancellor declared to both Houses the King's Death, and that he expired early in the Morning, on *Friday* the 28th of this Month; *Cujus Animæ propitiatur Deus*, says the *Journal*. Bishop *Burnet* supposes, by the Distance of Time between the King's Death and this Declaration, that for Reasons of State it was kept secret two or three Days. It is certain the Parliament had no Being from the Moment the King's Breath was out; and the Reasons for concealing he judges to be, either that the Council were considering what to do with the Duke of *Norfolk*, or that the *Seymours* were laying their Matters so as to be secure of the Government after the King's Death. The mournful News of which, says the *Journal*, was so affecting to the Chancellor and all present, that they could not refrain from Tears. But, turning their Thoughts on his Successor, Prince *Edward*, by divine Appointment; and the greatest Part of the Testament of their said deceased Sovereign, being read

The Death of
Henry the
Eighth.

read, by Sir *William Paget*, principal Secretary of State, concerning the Succession and well-govern-^{King Henry VIII.}ing of the Kingdom, during the Minority of the said Prince *Edward*; with the Clause for Payment of Debts and performing of Promises; the Lord Chancellor declared, that by the King's Death the Parliament was dissolved; and that every Man was at Liberty to depart Home. Nevertheless, he advised the Peers to wait for the Coronation of Prince *Edward*, which was shortly expected.

The Titles of some particular Bills that were brought into the House this last Session are these;

A Bill for the Establishment of a Court of Augmentations.

Another concerning Informations

A Bill concerning Sheriffs and Bailiffs.

A Bill, that the Survivor of the Executors may sell the Lands of his Estate, &c.

We shall conclude this Reign with an Abstract from the general Character, drawn up by Lord *Herbert*, of this King, relating to his Conduct with his Parliaments. After speaking of Foreign Affairs,

‘ At Home, says the noble Historian, it was his
‘ Manner to treat much with his Parliaments;
‘ where, if gentle Means served not, he came to
‘ some Degrees of the rough; though, the more
‘ sparingly, in that he knew his People did but too
‘ much fear him. Besides, he understood well,
‘ that foul Ways are not always passable; not to
‘ be used, especially, in suspected and dangerous
‘ Times, but when others fail. However, it may
‘ be noted, that none of his Predecessors understood
‘ the Temper of Parliaments better than himself;
‘ or, that availed himself more dexterously of
‘ them. Therefore, without being much troubled
‘ at the tumultous Beginnings of the rasher Sort, he
‘ would give them that Leave, which all new
‘ Things must have, to settle. Which being done,
‘ his next Care was to discover and prevent those
‘ privy Combinations that were not for his Service.
‘ After which, coming to the Point of Contribu-
‘ tion, he generally took strict Order, by his Com-
‘ missioners,

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King Henry VIII. ‘missioners, that Gentlemen in the Country should
‘not spare each other.’ But, that the true, or at
‘least near approaching, Value of every Man’s
‘Goods and Lands should be certified. And this
‘he did, the rather, because he knew the Custom
‘of his People was to reckon with him about their
‘Subsidies; and indeed, rather to number than
‘to weigh their Gifts (*p*).

(*p*) Kennet, Vol. II. p. 267.



EDWARD the Sixth.

THE last King being departed out of this World, after a long and prosperous Reign, in regard to himself whatever it was to his Subjects, another EDWARD, once more, succeeded to the Throne; who was proclaimed and afterwards crowned, with the usual Solemnities, by the Stile and Titles of *Edward the Sixth, King of England, France and Ireland, &c* (q). being then about nine Years of Age.

The Accession of
King Edward VI.

The Tender Years of this Prince, occasioned his Father to be very careful in placing his Non-Age in the Hands of the most faithful and able Counsellors; a long List of which may be seen in his last Will: An Instrument of such a Nature as never came from any other King of *England*, either before or since (r).

Soon after the Coronation, the Lord *Edward Seymour*, then Earl of *Hertford*, was created Duke of *Somerset*, and made Governour to the King's Highness, and Protector of the Realm. This Nobleman was own Uncle to the King by the Mother's Side; and had, by that Affinity, and his Places, an absolute Sway over all. The very first Year of this Reign began with a War with *Scotland*; some Overtures of a Marriage having been again made by the *English* Council, between their King and the Princess *Mary*, sole Daughter and Heir to *James Vth*, King of *Scots*; which, being refused by the latter, a bloody War ensued. The *English* Army was commanded by the Duke of *Somerset*, who march'd Northward as far as the River *Eske*; on the Banks of which an obstinate Battle was fought, in which the *English* were Conquerors, with the Destruction of above 10,000 of their Enemies.

A Victory against
the Scots.

This Reign, also, began with a farther Reforma-

P 3 tion

(q) February 20, 1547.

(r) A Copy of this Will, wrote in the *English* Tongue, is in *RYMER's Fœd. Ang. Tom. XV. P. 110, &c.*

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King Edward VI.

A Parliament
call'd.
Anno Regni 1,
1547.

tion in Religion, the Lord Protector being zealous for carrying it on ; certain Injunctions were published, by Authority, for removing Images out of Churches, and for abolishing or altering some other ancient Observations, as Sir *John Hayward* terms them, in the Church (*f*). Some Bishops opposing these Innovations, and others saying that it was well to stay these Changes in Religious Matters, 'till the King was of Years fit to govern by himself, a Parliament was called to meet at *Westminster*, on the 4th Day of *November*, in the first Year of his Reign. A List of the Temporal Lords, summoned to it, is as follows (*t*) ;

The Duke of <i>Somerset</i> ,	<i>Henry</i> Earl of <i>Suffex</i> .
Protector of <i>England</i> ,	<i>Francis</i> E. of <i>Salisbury</i> .
Governor to the King's	<i>Henry</i> E. of <i>Worcester</i> .
Person, and Treasurer	<i>Ralph</i> E. of <i>Westmorland</i> .
of <i>England</i> .	<i>John</i> E. of <i>Bath</i> .
Lord <i>Rich</i> , Lord High	<i>John</i> Earl of <i>Warwick</i> ,
Chancellor of <i>England</i> .	Great Chamberlain of
Sir <i>William Paulet</i> Lord	<i>England</i> .
<i>St John</i> , Great Master	<i>Thomas</i> E. of <i>Southamp-</i>
of the King's House-	<i>ton</i> .
hold, and President of	<i>Henry</i> E. of <i>Cumberland</i> .
the Council.	<i>Henry</i> E. of <i>Bridgewa-</i>
<i>John</i> Lord <i>Russel</i> , Lord	<i>ter</i> .
Keeper of the Privy	<i>Thomas</i> Lord <i>Seymour</i> ,
Seal.	Lord High Admiral of
<i>Henry</i> Marquis of <i>Dor-</i>	<i>England</i> .
<i>set</i> .	<i>John</i> Touchet, Lord <i>Aud-</i>
<i>William</i> Marq. of <i>North-</i>	<i>ley</i> .
<i>ampton</i> .	<i>Thomas</i> West, Lord <i>De</i>
<i>Henry</i> Earl of <i>Arun dele</i> .	<i>la War</i> .
<i>John</i> E. of <i>Oxford</i> .	<i>Henry</i> Parker, Lord
<i>Edward</i> E. of <i>Derby</i> .	<i>Morley</i> .
<i>Francis</i> E. of <i>Hunting-</i>	<i>Walter</i> Devereux, Lord
<i>don</i> .	<i>Ferrers</i> .

William

(*f*) The Life and Reign of *Edward VI*th, by Sir *John Hayward* Knight.

(*t*) From *Dugdale's* Summons to Parliament, and the Journals of the Lords.

<i>William Dacre, Lord</i>	<i>Thomas Lord Vaux.</i>	King Edward VI.
<i>Dacre of Gillefland.</i>	<i>William Lord Wynd-</i>	
<i>John Lord Zouch.</i>	<i>fore.</i>	
<i>John Ld. Scrope of Bolton.</i>	<i>Thomas Lord Wentworth.</i>	
<i>William Stourton Lord</i>	<i>Thomas Lord Brough.</i>	
<i>Stourton.</i>	<i>John Lord Mordaunt.</i>	
<i>John Nevile Ld. Latimer.</i>	<i>Edward Lord Clinton.</i>	
<i>George Broke Lord Cob-</i>	<i>William Lord Parr.</i>	
<i>ham.</i>	<i>Gregory Lord Cromwell.</i>	
<i>Thomas Lord Sandys.</i>	<i>Thomas Lord Wharton.</i>	
<i>John Lord Conyers.</i>	<i>William Lord Evers.</i>	
<i>Edward Lord Grey of</i>	<i>William Lord Willoughby</i>	
<i>Powis.</i>	<i>of Parham.</i>	
<i>William Lord Grey of</i>	<i>Edmund Sheffield Lord</i>	
<i>Wilton.</i>	<i>Sheffield.</i>	
<i>Thomas Stanley Lord</i>	<i>John Lord Bray.</i>	
<i>Monteagle.</i>		

Dr. *Heylin*, in his History of the *Reformation* (u), introduces his Account of this Parliament, in this Manner. He first tells us, 'That tho' the Members of it were of different Sentiments, in regard to Religion, yet they agreed very well in one common Principle, to strike in with the Juncture, and take care of themselves. For tho' a great Number of the Lords and Commons were inclined to the Doctrines of the late Reign, yet they were willing to give Way to such Acts as widened the Breach between the *English* and *Roman* Communion. The present Affinity in Doctrine they were afraid might end in a Reconciliation with the Pope; and that such Measures would prove dangerous to their Estates gained from the Church. As for the rest, adds our Author, whose Business was either to make or improve their Fortunes, they came prepared without Question to close with such a Reformation, as suited best with their Purpose. This, continues he, seems pretty evident by the Tendency of some of the Acts; which, in his Opinion, seem to overlook the Concern of Religion, and aim at private Interest in a very remarkable Manner.

Thus

(u) *Lond. Fol. 1661. p. 42.*

King Edward VI.

Thus far the learned Historian, in his Introduction to the History of the Proceedings of this Parliament; we will next see what a much later Writer hath told us to the same Purpose. The celebrated *M. Rapin* has shewn himself, in the Course of this Work, as averse to Parliaments as he is to Monarchy or Episcopacy; but in none more than this, when he says (*u*);

‘It is very certain, the Number of those who desired a Reformation, was very great in the Kingdom. However, it must not be imagined that then, any more than at this Day, whatever the Parliament did was agreeable to the general Opinion of the Nation. The Representatives of the Commons were chosen, as they are at present, without any Instructions concerning the Points to be debated in Parliament, nay, without the People’s knowing any Thing of them. Thus, the House of Commons had, as I may say, an unlimited Power, to determine by a Majority of Votes, with the Concurrence of the Lords, and Assent of the King, what they deemed proper for the Welfare of the Kingdom. There was no Necessity therefore, in order to obtain what the Court desired, of having the universal Consent of the People, but only the Majority of the Voices in both Houses. Hence it is easy to conceive, that the Court used all imaginable Means to cause such Members to be elected as were in their Sentiments. This is now, and ever will be, practised ’till some Cure is found for this Inconvenience. I call it Inconvenience, because it happens sometimes that the Parliament passes Acts contrary to the general Opinion of the Nation. Of this one may be easily convinced, by what passed in the Parliaments held under *Edward VI.* and *Queen Mary* his Sister. In the Reign of *Edward*, Popery was entirely rooted out; and under *Mary* it was wholly replanted. In one or other of these Reigns therefore the Parliament must have acted contrary to the Opinion of the People, since it is not possible to believe, that a whole

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(*u*) *RAPIN’S History of England*, Vol. II. p. 9.

Nation should have thus changed, in an Instant, ^{King Edward VI.} from White to Black. I don't pretend, by this Remark, to weaken the Proceedings of *Edward VI's* Parliament in favour of the Reformation; what I advance is levelled as much against that of *Queen Mary*, as against this. My Design is only to observe that the Determination of a Parliament is not always a convincing Proof of the Approbation of the whole *English* Nation. The Reasons therefore which may be drawn from the pretended Consent of the Nation, represented in Parliament, either for or against the Reformation, seem to be of very little Weight. Each of the two Parties will always say, and perhaps very justly, that the Parliament which opposed them, was a Parliament devoted to the King and the Ministry.

But to begin with much better Authority than either of these Writers, who are represented partial to their several Sentiments in Religion, we shall chiefly follow the *Journals* of both Houses of Parliament; those of the Commons, beginning now with this Reign, in the Book called *Seymour*, from the Name of the then Clerk of that House. This Book, with the subsequent *Journals* of the House of Commons down to the present Times, were ordered to be printed, for the Use of the Members of the last Parliament, which ended, by Dissolution, in the Year 1747. The first Volume, which begins with this Reign, contains little more than a diurnal succinct Account of Proceedings in reading Bills, &c. but yet will be of some Use, in ascertaining Dates, in Chronology; a Matter much neglected by our modern Historians. The *Journals* of the Lords are more explicit, in the Reign before us, than those of the Commons; the ensuing Parliament, being introduced, by that Authority, in the following Manner.

(*) *Memorandum*, the 4th of *November*, in the first Year of King *Edward VIth*, the King's Majesty, sitting

(*) *Verbatim* from the *Journals* of the Lords.

King Edward VI. sitting in the Parliament-Chamber at *Westminster*, with all the Lords, on both Sides, and the Commons standing beneath the Bar; commanded the Clerk of the Parliament, openly, to read his Highness's Commission; being sealed with the Great Seal of England, the Tenour whereof hereafter ensueth;

Commission appointing the Protector's Seat in Parliament.

EDWARD the Sixth, by the Grace of God, King of England, France and Ireland, Defender of the Faith, and of the Church of England and also of Ireland, in Earth, the Supreme Head; To all to whom these Presents shall come, Greeting. Forasmuch as our most dear Uncle, Edward, Duke of Somerset, whom, by the Advice of the Lords and the rest of our Council, with the Consent and good Agreement of the Noblemen of our Realms, we have named, ordained and commanded to be Governor of our Person and Protector of our Realms, Dominions and Subjects, during our Minority, hath no such Place appropriate or appointed unto him in our High Court of Parliament, as is convenient and necessary, as well in respect of his Proximity of Blood unto us, being our Uncle and eldest Brother unto our Mother of most noble Memory, deceased, Queen JANE; as also for his better managing and conducting our Affairs, to our Honour, Dignity and Surety, and the Wealth and Benefit of our Realms, Dominions and Subjects: We have therefore, as well by the Consent of our said Uncle, and by the Advice of other the Lords of our privy Council, willed, ordained and appointed, and do by these Presents will, ordain and appoint, that our said Uncle shall and do sit alone and be placed at all Times, as well in our Presence, in our said Court of Parliament, as in our Absence, upon the Midst of the Bench or Stool standing next on the right Hand of our Seat Royal, in our Parliament-Chamber, and that he further shall have and do enjoy, in our said Court of Parliament, in all Sessions, all such other Privileges, Preheminencies, Prerogatives and Liberties in all Things and to all Effects, as by Law or Statutes heretofore made, or otherwise, any the Uncles, by Father or Mother Side, to any of our most noble Progenitors, or any Protector of their Realms and Dominions, being in the Minority of Years as we be, have had, used or enjoyed

in their Courts of Parliament, the Statute concerning King Edward VI. the placing of the Lords in the Parliament-Chamber, and other Assemblies and Conferences of Council, made in the one and thirtieth Year of the Reign of our most dear Father, of famous Memory, King Henry the Eighth, or any other Statute, Act, Ordinance or Provision, heretofore had or made, to the contrary notwithstanding; and for the express Mention of any other Grants or Gifts, made to our said Uncle by us, or any of our Progenitors, heretofore had or made, in these Presents not mentioned, or any other Thing, Matter or Cause, whatsoever it be, notwithstanding. In Witness whereof we have caused these our Letters to be made Patents; Witness our self at Westminster the 3d Day of November, in the first Year of our Reign.

SOUTHWELL (y).

When the aforefaid Commission was openly read, and heard of all the House, and the Lord Protector placed accordingly, the Lord Rich, being Lord Chancellor, began his Oration, to the Effect as follows: —

We have chose to give the foregoing *Memorandum* and Letters Patent, at Length, as they are entered in the *Journals*, being the first Step of Power and Preheminence this baughty Duke took upon him. But, whether by the Negligence of the Clerks, or otherwise, the Lord Chancellor's Oration is wholly omitted, and only a blank Page left for it. Neither is the Speaker of the House of Commons mentioned, as usual, but this we supply from their *Journals*. Sir John Baker, Knight, (who, *Stowe* tells us, was Chancellor of the First-Fruits and Tents) was chosen Speaker of the Commons in this Parliament (z).

Sir John Baker
chosen Speaker.

The first Affair we find, that the House of Lords went upon, was to frame a Bill for the better Protection

(y) Sir Richard Southwell, then Master of the Rolls. This Instrument is also preserved, from the Records, in RYMER's *Fœdera*, Tom. XV. P. 164.

(z) STOWE's *Chron.*

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King Edward VI. protection of the Northern Borders ; and the Archbishop of *York*, the Bishop of *Durham*, the Lords *Dacres* and *Evers*, all Northern Lords, and whose Security depended on such a Protection, were appointed Commissioners to draw it up. But we do not find that it passed into a Law ; it being thought more adviseable to send a great Army thither, under the Lord Protector ; who gaining a compleat Victory over the *Scots*, near *Muscleborough*, was the surest Way to protect this Kingdom from their Incursions. This War broke out, on occasion of the *Scots* again refusing their Princess *Mary* to be joined in Wedlock with our young King *Edward*. She was afterwards married to the *Dauphin* of *France*.

The next Thing was a Bill to prevent the Decay of Tillage, Houses, &c. and the Lord *St John*, the Earls of *Arundale*, *Shrewsbury*, *Huntingdon*, and *Southampton*, were a Committee for that Purpose.

But we shall not follow the *Journal* closely, in an exact Account of each Day's Proceedings : The most remarkable will be sufficient for this Design.

November 10th, a Bill for the Repeal of certain Statutes, as it is there called, came into the House ; but was in Effect to be an Act to repeal the Statute of the 28th *Henry VIII.* which gave Authority to the King, after the Age of four and-twenty Years, to repeal, by his Letters Patents, all former Statutes made during his Minority, &c. (a). A Stretch of absolute Power left as a Legacy by the late King to his Son and Successors ; and if it had stood, Parliaments would have soon become useless to this Nation.

The Statute of
Prerogative, An.
28, Hen. VIII.
repeal'd.

But, by this Act, it was thus altered, ' That the King, when he came to the aforesaid Age, might, by his Letters Patent, annul any Act of Parliament for the future ; but could not so void it from the Beginning, as to annul all Things done upon it, between the making and annulling of any Law, which were still to be lawful Deeds.' This Bill was afterwards tack'd to another for the Repeal

(a) *Statutes at large*, An. 1 Ed. VI. Cap. 12.

Repeal of Treasons, Felonies, &c. which will come in the Sequel. King Edward VI.

Nov. 12th. There was a Bill brought into the House of Commons, relating to the Sacrament of the Altar, which passed that House on the 17th of the same Month.

This Bill was occasioned by an irreverent Treatment that sacred Myſtery met with at that Time, from the then growing Sect of the *Puritans* and others. The Preamble to the Act declares, *That some had disputed and reasoned unreverently and ungodly of that most holy Myſtery, and called it by such vile and unseemly Words that Christian Ears did abhor.* The Act forbears to mention them; but some of the Terms were *Round Robin, Jack in a Box, Sacrament of the Halter, &c.* because the Wafer was round, and usually kept in a *Pix*, or Box. The same Act, in the last Paragraph of it, did enjoin the said Holy Sacrament to be delivered and ministred to the People in both Kinds, of Bread and Wine; *being more conformable, as the Act expresses, to the common Use and Practice of the Apostles and primitive Church, by the Space of five hundred Years and more after Christ's Ascension.* Act relating to the Sacrament.

Dec. 10th. This Bill passed the Lords, with the Consent of all the Peers, except the Bishops of *London, Hereford, Norwich, Worcester, and Chichester*, who protested against it.

On the 15th of the same Month, a Bill for the Admission of Bishops by the King's Majesty only, was brought into the House; that is, that Bishops should be placed in their Sees by Collation of the King under his Letters Patents, without any precedent Election or ensuing Confirmation. By this Act it was set forth, 'That the Way of chusing Bishops by *Conged' Esire* was tedious and expensive, that there was only a Shadow of Election in it, and that therefore Bishops should thereafter be made by the King's Letters Patent, upon which they were to be consecrated: And whereas the Bishops did exercise their Authority, and carry on Procesſes, in their own Names, as they were wont to do in the Time of Popery; and since all Jurisdiction both Spiritual and And to the Confirmation of Bishops.

King Edward VI. and Temporal was derived from the King, that therefore their Courts and all Processes should be from henceforth carried on in the King's Name, and be sealed by the King's Seal, as it was in the other Courts of Common Law, after the first of *July* next; excepting only the Archbishop of *Canterbury's* Courts, and all Collations, Presentations, or Letters of Orders, which were to pass under the Bishops proper Seals as formerly.' Upon this Act great Advantages were taken to disparage the Reformation, as subjecting the Bishops wholly to the Pleasure of the Court (*a*).

On the same Day another Bill for reading the Scripture was introduc'd; which will be farther explain'd in the Sequel.

Nov. 19th. A Bill for exercising Ecclesiastical Jurisdiction came into the House of Lords; which was, that all Processes Ecclesiastical should be made in the King's Name, as in Writs at the Common Law; and all Persons exercising Ecclesiastical Jurisdiction, should have the King's Arms in their Seals.

On the 26th, *ibidem*, another Bill was added for erecting a new Court, to be called the Court of *Chancery* for Ecclesiastical and Civil Causes. The Bill was committed to the Archbishop of *Canterbury*, the Bishops of *London*, *Durham*, *Ely*, *Litchfield* and *Coventry*; the Earls of *Arundel* and *Southampton*, the Lord Admiral, and Lord *Cobham*, Mr Secretary, to the Judges, and others of the King's Council learned in the Laws. But neither of these Bills were passed into Statutes.

A Subsidy.

On the 21st, A Bill for a Subsidy of Tonnage and Poundage, on Merchandize, called *Customs*, was brought in; which afterwards passed both Houses, with a Proviso for the Merchants of the *Stilyard*. It was granted for the King's Life, and then was rated, the Tonnage, at three Shillings on every Tun of Wine; for sweet Wines, six Shillings; and Twelve-pence for every Aulme of *Rhenish*. The Poundage was Twelve-pence in the Pound, in Value, of all Goods, imported or exported; and
two

two Shillings of Aliens for Tin and Pewter export- King Edward VI. ed (b).

Dec. 12th. A Bill was read a second Time by the Lords, for suppressing Chauntries and Colleges. On the 15th it was read a third Time, and passed that House by the Consent of all the Peers, except the Archbishop of *Canterbury*, and the Bishops of *London*, *Durham*, *Ely*, *Norwich*, *Hereford*, *Worcester*, and *Chichester*, who dissented from it. There are two Instances, in this Day's Proceedings and the Day before, of two or three Lay Lords dissenting from Bills passing the House, which are the first we have yet met with in the *Journals*; but no *Protests* are enter'd against them.

Act for dissolving
Chauntries, &c.

This Bill was afterwards new-modelled by the Commons, and it passed both Houses Dec. 24th, the Bishops of *London*, *Durham*, *Ely*, *Hereford*, and *Chichester*, then only dissenting. The Purport of it was, that by this Act divers Colleges, Chauntries, Free Chapels, Fraternities, Guilds, &c. with all their Lands and Goods, were put into the actual Possession of the King. Part of these Goods and Lands being sold at a low Value, enriched many and enobled some; and thereby, as Sir *John Hayward* observes, made them firm in maintaining the Change (c).

But, in order to make this remarkable Act the better understood, we shall subjoin Mr *Collier's* Explanation

(b) Stevens's *History of Taxes*, p. 231.

(c) Life and Reign of *Edward VI.*

A *Chauntry*, was a little Church, Chapel, or particular Altar, in some Cathedral Church, &c. endowed with Lands or other Revenues, for Maintenance of one or more Priests, daily to sing Mass and perform divine Service, for the Use of the Founders and such others as they appointed. — *Free Chapels*, were independent on any Church, and endowed for much the same Purpose as the former. — The *Obit* was the Anniversary of any Person's Death; and to observe such Day, with Prayers, Alms, and other Oblations, was called the keeping the *Obit*. — *Anniversaries*, were the yearly Returns of the Day of the Death of Persons, which the Religious register'd in their Obital or Martyrology, and annually observ'd, in Gratitude to their Founders or Benefactors. — *Guild*, signifies a Fraternity or Company, from the *Saxon Guildan* to pay; because every one was to pay something towards the Charge and Support of the Company.

Jacob's Law Dictionary.

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King Edward VI. planation of it. That learned Author acquaints us, ' That Archbishop *Cranmer* insisted strongly against the Dissolution of these Chauntries, Colleges, &c. or at least, that it might be postponed till the King came at Age. That by this Delay the Reasons of the Dissolution would be better answer'd, and the Lands preserved, for the Improvement of the Royal Revenues: That during his Majesty's Minority, there would be Danger of alienating the Estates, and wasting the Treasure arising from these Endowments. The Archbishop had likewise a farther View for the Benefit of the Church. The Clergy were much impoverished by impropriated Tythes falling amongst the Laity, which should in all Reason have been return'd to the Church. Things standing thus, *Cranmer* had no Prospect of retrieving the Misfortune, but by resuming the Dissolution of the Chauntries till the King was a Major. Provided he could make the Matter rest till that Time, he did not question the pious Disposition of this Prince might be prevail'd on, to bestow these Foundations upon the Parochial Clergy, who were now lamentably reduced: And thus far, without Question, the rest of the abovemention'd Bishops concurr'd with him. But the Courtiers, who push'd the Bill, were act'd by different Motives; they wanted Estates to their new Titles, and had no other Way of satisfying their Pretensions than by seizing the Opportunity, and sharing the Chauntry-Lands amongst them, while the Government was in their Hands. When the Bill was sent down to the Lower House, it was strongly oppos'd by some of the Members: It was urg'd, that the Boroughs could not maintain their Churches, nor defray the other Expences of the Guilds and Fraternities, if the Estates belonging to them were granted to the Crown. The Arguments upon this Head sway'd the House, and brought them towards a Vote against passing that Part of the Bill in which the Guilds were concern'd. The Burgeses for *Lynn* and *Coventry* distinguish'd themselves most upon this Occasion. But these active Members were
taken

taken off by the Court-Party, upon an Assurance King Edward VI. given, that their Guild-Lands should be restor'd. Thus, dropping their Opposition, the Bill pass'd, and the Promise is said to have been made good by the Protector.

‘ It hath been already observ’d, these Chauntrey Lands, Colleges, &c. had been granted to the late King, his Heirs and Successors. By the Act in the late Reign Commissioners are named for giving the King Possession; who when they had enter’d upon any Part of the Lands within their Commission, the Statute from that Instant vests the King and his Heirs in those Estates. But as it happen’d, the Commissioners did not enter into a great Part of the Chauntrey Lands in the late King’s Time, which was the Reason of making a new Act for this Purpose in the Reign before us.

‘ And here it may not be improper to acquaint the Reader, that the Endowment of these Chauntry Lands was for the Maintenance of one or more Priests, to pray for the Souls of their Founders. Of these Chauntries and Free Chapels, there were two thousand three hundred and seventy-four. They were commonly united to some Parochial, Collegiate, or Cathedral Church. The Free Chapels, tho’ design’d for the same Purpose, were independent in their Constitution, stood without being annex’d, and were better endow’d. The Colleges exceeded these last Foundations, both in the Beauty of their Building, the Number of Priests, and the Largeness of their Revenues. But now their Fate was determin’d; and to make the seizing of their Estates better understood, the Statute sets forth in the Preamble, That a great Part of the Superstition and Errors in Christian Religion, has been wrought in the Minds and Estimation of Men, by reason of the Ignorance of their very true and perfect Salvation, through the Death of Jesus Christ; and by devising and phantasyng vain Opinions of Purgatory, and Masses satisfactory to be done for them who be departed: The which Doctrine and vain Opinion, by nothing more is maintain’d and upholden, than

King Edward VI. by the Abuse of Trentals, Chauntries, and other Provision made for the Continuance of the said Blindness and Ignorance.

By the Way, the Misperuasion, with respect to the Assistances design'd for those deceas'd, seems in a great Measure rectified, by the *Institution and Necessary Erudition*, set forth in the late Reign. In both these Books, Disputes about the Pains suffer'd by those who died under imperfect Qualifications, is forbidden; neither is the Name of Purgatory to be so much as mentioned. And as for praying for the Dead, it was not only Part of the Divine Service at the making of this Statute, but continued so in the first reform'd Liturgy for some Time after.

By the Settlement of Collegiate Churches and Chauntries, there was a Provision made for a certain Number of poor People; and the Alms was distributed on the Anniversary Day of the Founders: This Charity was secur'd by a Clause in the Act; and the Commissioners were order'd to assign Lands, parcel of the Premises, for the Maintenance of the Distribution.

To proceed: The Act promises the Estates of these Foundations shall be converted to good and godly Uses, in erecting Grammar-Schools, in farther augmenting the Universities, and better Provision for the Poor and Needy. But these Lands being mostly shar'd amongst the Courtiers, and others of the rich Laity, the Promise in the Preamble was in a great Measure impracticable. To proceed to the Body of the Statute, in which it is enacted, That all and singular Colleges, Free Chapels, Chauntries, Hospitals, Fraternities, Brotherhoods, Guilds, and other Promotions, mention'd in the 37th *Hen. VIII. Cap. 4.* with all their Mansion-Houses, Manors, Rents, Tythes, Churches, Patronages, &c. which were not in actual Possession of the late King, are granted to his present Majesty, his Heirs and Successors, for ever. All Lands, Rents, &c. settled for the Maintenance of any Anniversary and Obit are likewise given the Crown by this Statute. The Colleges in both the Universities

the Chapel of *St George* at *Windſor*, the Colleges of *Wincheſter* and *Eaton*, together with the Cathedral Churches, are expreſſly excepted, and ſecur'd in this Statute. However, the Chauntries, Obits, and Settlements, for Lights and Lamps in any of the Cathedrals, were to fall within the Compaſs of the Act. By this Statute, the Commiſſioners are empowered to allow what Penſion they thought convenient, to thoſe who were turn'd out of theſe Foundations. By another Clause, all Alienation of the Lands of Biſhopricks, Deaneries, Colleges, Archdeaconries, Prebends, &c. made to the Crown in the late and preſent Reign, are confirm'd.

‘ And laſtly, all Goods, Chattels, Jewels, Plate, Ornaments, and other Moveables, being the common Goods of ſuch Colleges, Free Chapels, Chauntries, or ſtipendiary Priests, are convey'd to the King.’ Thus ſar Mr *Collier*.

On the 16th of *December* another Bill was introduced for repealing of certain Statutes for Treason and Felony. This Bill being a Matter of great Concern to every Subject, a Committee was appointed, conſiſting of the Archbiſhop of *Canterbury*, the Lord Chancellor, the Lord Chamberlain, the Marquis of *Dorſet*, the Earls of *Shrewsbury* and *Southampton*, the Biſhops of *Ely*, *Lincoln*, and *Worceſter*, the Lords *Cobham*, *Clinton*, and *Wentworth*, with certain of the King's learned Council; all which Noblemen, &c. were appointed to meet a Committee of the Commons at Two o'Clock, after Dinner, ſays the *Journal*, in order to treat and commune on the Purport of the ſaid Bill.

The Commons had formed another Bill for repealing theſe Statutes, which upon ſome Conferences they were willing to drop; only ſome Proviſo's were added to the other, from which the Biſhops of *London*, *Durham*, *Ely*, *Hereford*, and *Chicheſter*, again diſſented. The Preamble to this Statute ſets forth; ‘ That (d) nothing made a Government ‘ happier than when the Prince governed with

Q 2

‘ much

(d) Statutes at large, 1 Ed. VI. Cap. 12. Fox's Martyrs, Vol. II. p. 1182.

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All Acts for extending Treason beyond that of 25 Ed. III. repealed.

much Clemency, and the Subjects obeyed out of Love. Yet the late King and some of his Progenitors, being provoked by the Unruliness of some of their People, had made severe Laws ; but they judging necessary now to recommend the King's Government to the Affections of the People, repealed all Laws that made any Thing to be Treason, but what was in the Act of 25 *Edward III.* as also two of the Statutes about Lollardies, together with the Act of the six Articles, and the other Acts that followed in Explanation of that. All Acts in King *Henry VIIIth's* Time, declaring any Thing to be Felony that was not so declared before, were also repealed ; together with the Acts that made the King's Proclamations of equal Authority with Acts of Parliament. It was also enacted, That all who denied the King's Supremacy, or asserted the Pope's in Words, should for the first Offence forfeit their Goods and Chattels, and suffer Imprisonment during Pleasure ; for the second Offence should incur the Pain of *Præmunire* ; and for the third Offence be attainted of Treason. But if any did in Writing, Printing, or by any overt Act or Deed, endeavour to deprive the King of his Estate or Titles, particularly of his Supremacy ; or to confer them on any other, after the first of *March* next, he was to be adjudged guilty of High Treason : And if any of the Heirs of the Crown should usurp upon another, or did endeavour to break the Succession of the Crown, it was declared High Treason in them, their Aiders and Abettors. And all were to enjoy the Benefit of Clergy, and the Privilege of Sanctuary, as they had it before King *Henry VIIIth's* Reign ; excepting only such as were guilty of Murder, Poisoning, Burglary, Robbing on the High-Way, the stealing of Cattle, or stealing out of Churches or Chapels. Poisoners were to suffer as other Murtherers. None were to be accused of Words but within a Month after they were spoken. And those who called the *French* King by the Title of King of *France*, were

‘ were not to be esteemed guilty of the Pains of King Edward VI.
 ‘ translating the King’s Authority or Titles, to
 ‘ any other.’

The Repeal of all these Statutes, opened the Door wide for Liberty of Conscience all over *England*; and, Dr *Heylin* observes (*c*), all Men were now set at Liberty to read the *Scriptures*, and expound them as they pleased; of entertaining what Opinion in Religion best agreed with their Fancies, and promulgating those Opinions which they entertained. But this is a Mistake, for still the Law for burning of Hereticks subsisted; of which kind of Executions there were several Instances in this Reign.

There is one Thing more remarkable, before we conclude the Proceedings of this Session; and that is, on one Day of it when a certain Provision was made to the Sacrament-Bill, for taking of it in both Kinds, and sent down from the Lords to the Commons, for their Assent to it, the latter would not receive it, because the Lords had not given their Consent to the same.

And we must not forget to mention, that on the 29th of *Nov.* a Bill against Vagabonds was brought in; by which it was enacted, ‘ That all that should
 ‘ any where loiter without Work, or without of-
 ‘ fering themselves to Work, three Days together;
 ‘ or that should run away from Work, and resolve
 ‘ to live idly, should be seized on; and whosoever
 ‘ should present them to a Justice of Peace, was to
 ‘ have them adjudged to be his Slaves for two
 ‘ Years; and they were to be marked with the
 ‘ Letter *V*, imprinted with a hot Iron on their
 ‘ Breast.’ A great many Proviso’s follow concerning Clerks so convicted; which shew, as Bishop *Burnet* observes, ‘ That this Act was chiefly levell’d at the idle Monks and Friars, who went about the Country, and would betake themselves to no Employment; but finding the People apt to have Compassion on them, they continued in that Course of Life; which was of very ill Consequence to the State. For these Vagrants did every where alienate

Act relating to
Vagabonds.

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the

King Edward VI. the People's Minds from the Government, and persuaded them Things would never be well settled, 'till they were again restored to their Houses. Some of these came often to *London*, on pretence of suing for their Pensions, but really to practise up and down through the Country : To prevent this, there was a Proclamation set out on the 18th of *September*, requiring them to stay in the Places where they lived, and to send up a Certificate where they were, to the Court of *Augmentations* ; who should thereupon give Order for their constant Payment. Some thought this Law against Vagabonds was too severe, and contrary to that common Liberty of which the *English Nation* has been always very sensible, both in their own and their Neighbours Particulars. Yet it could not be denied, but extreme Diseases requir'd extreme Remedies ; and perhaps there is no Punishment too severe for Persons that are in Health, and yet prefer a loitering Course of Life to an honest Employment. There followed in the Act many excellent Rules for providing for the truly poor and indigent, in the several Places where they were born, and had their Abode. Of which, the same Author still observes, that as no Nation had laid down more effectual Rules for the supplying the Poor, than *England*, so that indeed none can be in absolute Want ; yet the Neglect of these Laws is a just and great Reproach on those who are charg'd with the Execution of them, when such Numbers of poor Vagabonds swarm every where without the due Restraints that the Laws have appointed.

The Parliament
prorogu'd.

On the 24th Day of *December*, all the Bills concluded at this Session being ready for the Royal Assent, they were pass'd ; we suppose, by the Lord Protector, for the King was not present in the House. After which the Lord Chancellor prorogued the Parliament, from that Day to the 20th of *April* next ensuing.

In the Table at the End of the Proceedings of this Session, in the Lord's *Journals*, are the Titles of twenty-one Statutes then enacted ; in the *Statute Books* are fifteen. But the supernumerary Acts are only

only on private Affairs ; amongst which three concern the Restitution, in Blood, of the Lords *Stafford* and *Lumley*, and *Griffith Rice*, Gentleman. In both is mentioned that the King's general Pardon was now confirmed by Parliament, with the common Exceptions ; amongst which all those who were then Prisoners in the *Tower*, and the Duke of *Norfolk*, were included.

At the Time limited, by the Prorogation, this Parliament met again ; when the Lord Chancellor declared to them, that for certain Causes, particularly the War which then raged betwixt *England* and *Scotland*, by which several Members could not without great Danger attend, it was the King's Pleasure that this Parliament should be again prorogued from that Day to the 15th of *October* next following, And the King's Letters Patents, appointing such a Prorogation were read accordingly.

And, on the said 15th Day of *October*, other Letters Patents were read, importing, that by reason of the *Plague*, then reigning in the Cities of *London*, *Westminster*, and the Suburbs thereof (*f*), the Parliament was further prorogued to the 24th Day of *November* next ensuing.

At which Time, they being again assembled, proceeded to do Business ; but nothing of any Consequence was transacted till the 21st of *December*, on which Day the Lord Chancellor adjourned the House to the Morrow after the Feast of the *Circumcision*, or *January* the 2d. It is somewhat remarkable, that during this first Sitting, and the second, the House was frequently adjourned, in the Absence of the Lord Chancellor, by the Lord Protector, and once by the Lord Keeper, without any Commission from the King, that is entered in the *Journals* for that Purpose.

They meet again.
Anno Regni 2,
1548.

Janu-

(*f*) — et præcipue propter Infectionem Aeris pestiferis ubiq; per Civitates nostras *London*, *Westmon*, et *Suburbis* earum, ad præsens invalescentem, &c.

Journal. Procer. An. 2. Edward VI.

This *Plague* was the *Sweating Sickneſs*, which then raged in and about *London*, inſomuch, that near one thouſand died of it in a Week's Time. *Strove*, *Speed*, &c.

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Act for Uniformity in Religion.

January 15th, was read in the House for the third Time and passed, the Bill for an Uniformity of Service and Administration of Sacraments to be had throughout the Realm. But it was not concluded with the Assent of the following Lords, for they are put down as against it: The Earl of *Derby*, the Bishops of *London*, *Durham*, *Norwich*, *Carlisle*, *Hereford*, *Worcester*, *Westminster* and *Chichester*, with the Lords *Dacres* and *Windsor*. 'The Preamble of the Act sets forth,' 'That there had been several Forms of Service, and that of late there had been great Difference in the Administration of the Sacraments, and other Parts of Divine Worship: And that the most effectual Endeavours could not stop the Inclinations of many to depart from the former Customs; which the King had not punished, believing they flowed from a good Zeal. But that there might be an uniform Way over all the Kingdom, the King, by the Advice of the Lord Protector and his Council, had appointed the Archbishop of *Canterbury*, with other learned and discreet Bishops and Divines, to draw up an Order of Divine Worship, having Respect to the pure Religion of Christ taught in the Scripture, and to the Practise of the Primitive Church, which they, by the Aid of the Holy Ghost, had with one uniform Agreement concluded on; wherefore the Parliament having considered the Book, and the Things that were altered or retained in it, they gave their most humble Thanks to the King for his Care about it; and did pray that all who had formerly offended in these Matters, except such as were in the Tower of *London*, or the Prison of the *Fleet*, should be pardoned: And did enact, that from the Feast of *Whit-Sunday* next, all Divine Offices should be performed according to it; and that such of the Clergy as should refuse to do it, or continue to officiate in any other Manner, should upon the first Conviction be imprisoned six Months, and forfeit a Years Profit of their Benefice: For the second Offence forfeit all their Church

Church Preferments, and suffer a Year's Imprisonment: And for the third Offence should be imprisoned during Life. And all that should write, or put out Things in Print against it, or threaten any Clergymen for using it, were to be fined 10*l.* for the first Offence; 20*l.* for the second; and to forfeit all their Goods, and be imprisoned for Life, upon a third Offence. Only at the Universities they might use it in *Latin* and *Greek*, excepting the Office of the Communion. It was also lawful to use other Psalms or Prayers taken out of the Bible, so these in the Book were not omitted.' This Act was variously censured by those who disliked it. Some thought it too much that it was said the Book was drawn *by the Aid of the Holy Ghost*. But others said this was not to be so understood, as if they had been inspired by extraordinary Assistance, for then there had been no Room for any Correction of what was now done; and therefore it was only to be understood in that Sense, as all good Motions and Consultations are directed or assisted by the secret Influences of God's Holy Spirit; which do oft help good Men, even in their imperfect Actions, where the Good that is done is justly ascribed to the Grace of God. Others censured it, because it was said to be done by uniform Agreement, though four of the Bishops that were employed in the drawing of it, protested against it. These were the Bishops of *Norwich*, *Hereford*, *Chichester* and *Westminster*; but these had agreed in the main Parts of the Work, though in some few Particulars they were not satisfied, which made them dissent from the whole (g).'

One Thing must not be omitted; that whilst this Bill of Common Prayer was debating in the House of Commons, one *Storey*, a Member, spoke so sharply against it, and was so free of his Reflections on the King and the Protector, that he was put into the Serjeant's Hands, and sent to the *Tower*. The

(g) The King, in his Journal, says this Bill on the Sacrament occasioned a notable Disputation in the Parliament House.

Burnet, Vol. II. in *Appendix*.

King Edward VI.

The Words he spoke from, were these, *Wo unto thee, O England, when thy King is a Child.* An Impeachment was actually drawn up against him for it; but, upon his humble Submission, the House ordered the Privy Counsellors to acquaint the Protector, that it was their Resolution he should be discharged, and they desired the King would forgive his Offence against him and the Council.

Another allow-
ing Priests to
marry.

The next was a Bill for the Marriage of Priests, which passed both Houses on the 19th of *February*; amongst the Peers the Bishops of *London, Durham, Norwich, Carlisle, Worcester, Bristol, Chichester* and *Landaff*, with the Lords *Morley, Dacres, Windsor* and *Wharton*, dissenting. The Preamble of this Act declares,

‘ That it were better for Priests and the Ministers of the Church to live chaste and without Marriage; whereby they might better attend to the Ministry of the Gospel, and be less distracted with secular Cares; so that it were much to be wished, that they would of themselves abstain. But great Inconveniencies of living, with other Inconveniencies, had followed on the Laws that compelled Chastity, and prohibited Marriage; so that it was better they should be suffered to marry than be so restrained: Therefore all Laws and Canons that had been made against it, being only made by human Authority, are repealed. So that all Spiritual Persons, of what Degree soever, might lawfully marry, provided they married according to the Order of the Church. But a Proviso was added, that because many Divorces of Priests had been made after the six Articles were enacted, and that the Women might have thereupon married again, all these Divorces, with every Thing that had followed on them, should be confirmed.’

Bishop *Burnet* observes, that there was no Law that passed in this Reign more contradicted and censured than this. And has taken great Pains to prove the Validity of it, from *Scripture* and the Fathers (b).

(b) *Reformation*, Vol. II. P. 89 to 93. See also *Heylin*, P. 67. &c. *Foxe's Martyrs*, Vol. II. P. 1134.

He has also thoroughly examined the Vows and other Reasons against it; and, in fine, hath endeavoured to convince the World, that there is much more Chastity in a married than an unmarried Priest. His Conduct shewed that he himself was thoroughly satisfied in this Matter, having married no less than three Wives to preserve his own Chastity.

King Edward VI.

Two other Acts passed this Session, which Dr. *Heylin* says were exceeding necessary for the Preservation of the Church's Patrimony, then near dissipated.

The first was made for the Encouragement and Support of the Parochial Clergy, in the true Payment of their Tithes, lately invaded by their Patrons, and otherwise in Danger to be lost for ever, by the Avariciousness of the Parishioners, as before was said. For Remedy whereof, it was enacted, 'That no Person or Persons, should from

And for better supporting the Parochial Clergy.

'thenceforth take or carry away, any Tithe or Tithes, which had been received, or paid, within forty Years next before the Date thereof, or of Right ought to have been paid, in the Place or Places tithable in the same, before he hath justly divided or set forth the Tithe thereof, the tenth Part of the same, or otherwise agree for the same Tithes, with the Parson, Vicar, or other Owner, Proprietor, or Farmer of the same, under the Pain or Forfeiture of the treble Value of the Tithes so taken or carried away.' To which a Clause was also added, enabling the said Parsons, Vicars, &c. to enter upon any Man's Land for the due setting of his Tithes, and carrying away the same without Molestation; with other Clauses no less beneficial to the injured Clergy. And because the Revenue of the Clergy had been much diminished by the Loss of such Offerings and Oblations, as had been accustomably made at the Shrines of certain Images, now either defaced or removed; it was thought meet to make them some Amends in another Way. And thereupon it was enacted, 'That every Person exercising Merchandises, Bargaining, and Selling, Cloathing, Handy-Craft, and

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King Edward VI. ‘ and other Art and Faculty, being such Kind of
 ‘ Persons, and in such Places as heretofore, within
 ‘ the Space of forty Years then before passed, have
 ‘ accustomably uled to pay such personal Tithes,
 ‘ or of Right ought to pay, (other than such as the
 ‘ common Day-Labourers) shall yearly, at, or be-
 ‘ fore, the Feast of *Easter*, pay for his Perso-
 ‘ nal Tithes, the tenth Part of his clear Gains ;
 ‘ his Charges and Expences, according to his Estate
 ‘ and Condition, or Degree, to be there allowed,
 ‘ abated and deducted ; with a Proviso for some
 ‘ Remedy to be had therein before the Ordinary, in
 ‘ the Case of Tergiverfation, or Refusal.’ But the
 Power of the Bishops, and other Ordinaries, grow-
 ing less and less, and little or no Execution follow-
 ing in that Behalf, this last Clause proved of little
 Benefit to those whom it most concerned ; who,
 living for the most Part in Market-Towns, and
 having no Predial Tithes to trust to, are thereby in
 a far worse Condition than the rural Clergy.’

And now that we have done with the most
 material Religious Acts, which passed this Session,
 we shall go on to others.

Proceedings on
 the Attainder of
 Thomas Lord
 Seymour.

On the 25th of *February* a Bill was brought in
 to the House of Lords for the Attainder of Sir *Tho-*
mas Seymour, Knt. Lord *Seymour* of *Sudley*, Lord
 High Admiral of *England*, own Uncle to the King,
 and Brother to the Lord Protector. It was read a
 second and a third Time, on the next Day, and
 the Day following ; but, before it passed the Lords,
 ‘ It was thought good, says the *Journal*, to send
 ‘ down certain Ministers of the Upper House, to
 ‘ declare unto the Members of the Nether House,
 ‘ the Manner after which the Lords had proceeded
 ‘ in this Matter ; and to declare unto them, also,
 ‘ that if they minded to proceed in like Sort, cer-
 ‘ tain Noblemen, who had given Evidence against
 ‘ the said Admiral, should be sent unto them to
 ‘ declare, by Mouth and Presence, such Matter as
 ‘ by their Writing should in the mean Time appear
 ‘ before them.’ After which follows this *Memo-*
randum, ‘ That it appears by the *Journal Book*, 23
 ‘ well

‘ well this Day, as at every several reading of the King Edward VI.
 ‘ Bill for the Attainder of the Lord *Thomas Seymour*,
 ‘ Lord Admiral, that the Lord Protector, his Bro-
 ‘ ther, was present.’

March the 2d, another Article is entered on the
Journal, relating to the aforesaid Bill, in these
 Words, ‘ This Day were sent down the Master of
 ‘ the *Rolls*, Sir *James Hales*, and Serjeant *Molli-*
 ‘ *neux*, with like Commission, in Effect, as was
 ‘ sent down the *Wednesday* before. Answer was
 ‘ made that they would consult together, and there-
 ‘ upon they would with Speed send up their Re-
 ‘ solution; but no Haste having been made therein
 ‘ by them of the Nether House, and the Lords hav-
 ‘ ing sat so long, as they thought the Time very
 ‘ far spent, they concluded to depart; desiring the
 ‘ Lord Protector that it would please him to receive
 ‘ such Answer, as should be sent, touching this
 ‘ Matter, from the Nether House; and to make
 ‘ Report thereof at the next Assembly, which
 ‘ should be on *Monday* next.’ But tho’ we find
 that the Protector was present on that Day, yet no
 Message from the Commons is entered; and we
 are only told, that, on *March* the 5th, the Bill for
 the Attainder of the Lord Admiral was sent up,
 amongst others, as passed by that House.

But, by the *Journals* of the House of Commons,
 it appears, that this Bill was read there the last Day
 of *February*, for the first Time. Again on *March*
 1st. And that *March* 2d, the Master of the *Rolls*,
 Serjeant *Mollineux*, Serjeant *Hales*, and the King’s
 Solicitor, were sent from the Lords to know the
 Pleasure of the House, if it should be resolved there
 to pass upon the Attainder of the Admiral in such
 Order as was passed in the Higher House. Hereupon
 it was ordered, that Advertisement thereof should be
 sent to the Lords by some of that House. Then it
 was resolved that the Evidence should be heard or-
 derly, as it was before the Lords. And, also, to
 require that the Lords who affirmed that Evidence,
 might come hither and declare it *viva Voce*. And
 this to be delivered to the Lord Protector, by Mr.
 Spea-

King Edward VI. Speaker, and other the King's Privy Council in that House.

On *March* 4th, the Master of the Rolls, &c. declared the King's Pleasure to be, that the Admiral's Presence was not necessary in this Court; and therefore he need not to be there. And further declared, that if the House required to have the Lords to come, and to satisfy them for the Evidence against the Admiral, the Lords would come. Then it was ordered, that Mr. Comptroller, and others of the King's Privy Council, should hear the Lords; and require, that if it were judged necessary to have the Lords come, that upon any further Suit they might come down to their House. The same Day the Bill for the Attaindure of Sir *Thomas Seymour*, Lord *Sudley*, was read a third Time; and, as *Rapin* informs us, tho' we know not from what Authority, the Bill passed in a full House of four hundred; not above ten or twelve voting in the Negative (i).

Different Sentiments thereon.

We have now given what is said, in both the *Journals*, on this extraordinary Affair; where the Blood of so great a Person, as the Lord Admiral, and so nearly related to the Crown, is concerned. We shall next subjoin the Accounts which Historians give relating to it; in order to explain, as far as possible, the Springs and Motions which set this great Machine at Work, which, in the End, wrought the Downfall of both the Brethren. And first, Sir *John Hayward*, the particular Writer of this King's Life, claims the Preference.

The King had two Uncles, Brothers to Queen *Jane* his deceased Mother, *Edward* Duke of *Somerset* Lord Protector, and *Thomas* Lord *Seymour* Baron of *Sudley*, High Admiral of *England*. As the Duke was elder in Years, so was he more staid in Behaviour. The Lord *Sudley* was fierce in Courage, courtly in Fashion, in Personage stately, in Voice magnificent, but somewhat empty of Matter: Both were so faithfully affected to the King, that the one might well be termed his Sword, and the other

other his Target. The Duke was greatest in Favour with the People, the Lord *Sudley* most respected by the Nobility; both highly esteem'd by the King; both fortunate alike in their Advancements; both ruin'd alike by their own Vanity and Folly. Whilst these two Brothers held in Amity, they were like two Arms, the one defending the other, and both of them the King. But many Things did move together to dissolve their Love, and bring them to Ruin: First, their contrary Disposition, the one being tractable and mild, the other stiff and impatient of a Superior; whereby they liv'd but in cunning Concord, as Brothers glew'd together, but not united in Grain: Then much secret Envy was born against them, for that their new Lustre did dim the Light of Men honour'd with ancient Nobility. Lastly, they were openly minded, hasty and soon mov'd, also uncircumspect and easy to be cheated. By these the Knot, not only of Love but of Nature, between them was dissolved; so much the more Pity, for that the first Cause proceeded from the Pride, the haughty Hate, the unquiet Vanity of a mannish or rather a devilish Woman.

For the Lord *Sudley* had taken to Wife *Katherine Parre*, Queen Dowager, last Wife to King *Henry* the Eighth; a Woman beautify'd with many excellent Virtues, especially with Humility the Beauty of all other Virtues. The Duke had taken to Wife *Anne Stanhope*, a Woman for many Imperfections intolerable, but for Pride monstrous: She was exceedingly subtle and violent in accomplishing her Ends, for which she spurn'd over all Respects both of Conscience and of Shame. This Woman did bear such invincible Hate, first against the Queen Dowager, for light Causes and Womens Quarrels, especially for that she had Precedency of Place before her, being Wife to the greatest Peer in the Land, then to the Lord *Sudley* for her Sake; that albeit the Queen Dowager died by Child-Birth, yet would not her Malice either die or decrease; but continually she rubbed into the Duke's dull Capacity, that the Lord *Sudley*, dissenting from him in Opinion of
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Religion, sought nothing more than to take away his Life; as well in regard of the common Cause of Religion, as thereby happily to attain his Place. Many other Things she boldly feign'd, being assur'd of easy Belief in her heedless Hearer, always fearful and suspicious, as of feeble Spirit, but now more than ever, by reason of some late Opposition against him. Her Perswasions she cunningly intermix'd with Tears, affirming, That she would depart from him, as willing rather to hear both of his Disgraces and Dangers, than either to see the one or participate of the other.

The Duke embracing this Woman's Counsel, (a Woman's Counsel indeed, and nothing the better) yielded himself both to advise and devise for Destruction of his Brother. The Earl of *Warwick* had his Finger in the Business, and drew others also to give either Furtherance or Way to her violent Desires; being well content she should have her Mind, so as the Duke might thereby incur Infamy and Hate. Hereupon the Lord *Sudley* was arrested, and sent to the Tower; and in very short Time after, condemn'd by Act of Parliament. And within a few Days after his Condemnation, a Warrant was sent under the Hand of his Brother the Duke, whereby his Head was deliver'd to the Ax. His own fierce Courage hasten'd his Death, because equally ballanc'd between Doubt and Disdain, he was desirous rather to die at once, than to linger long upon Curtesy and in Fear.

The Accusation against him contain'd much frivolous Matter, or term them pitiful, if you please. The Act of Parliament expresses these Causes of his Attaindure: For attempting to get into his Custody the Person of the King and Government of the Realm; for making much Provision of Money and Victuals; for endeavouring to marry the Lady *Elizabeth* the King's Sister; for persuading the King in his tender Age to take upon him the Rule and Order of himself. The Proofs might easily be made, because he was never call'd to his Answer. But as well the Protestations at the Point of his Death,

Death, as the open Course and Carriage of his Life, King Edward VI. clear'd him in Opinion of many. So doubtful are all weighty Matters, whilst some take all they hear for certain, others making Question of any Truths, Posterity enlarging both. Dr. *Latymer*, pretending all the Gravity and Sincerity of a profess'd Divine, yet content to be serviceable to great Men's Ends, declar'd in a Sermon before the King, that whilst the Lord *Sudley* was a Prisoner in the Tower, he wrote to the Lady *Mary* and the Lady *Elizabeth*, the King's Sisters, that they should revenge his Death; which indeed the Lady *Mary* afterwards more truly did, by executing the Earl of *Warwick*, than either she was, or at that Time could in particular be requir'd. Many other Imputations he cast forth besides; most doubted, many known to be untrue: And so whereas *Papinian* a Civil Lawyer, but a Heathen, chose rather to die than to defend the Murder which the Emperor *Caracalla* had done upon his Brother *Geta*, some Theologians have been employed to defile Places erected only for Religion and Truth; by defending Oppressions and Factions, staining their Professions and the good Arts which they had learn'd, by publishing odious Untruths upon Report and Credit of others.

The Annotator on this Author, in *Kennet's History of England*, who signs himself *J. S.* has taken a great deal of Pains to wipe off the Aspersions here laid on the Duke of *Somerset*; and asserts, that the Story of the Female Quarrel is untrue; and taken from *Sanders's History of the English Schism*, a virulent Writer against the Reformation. He has endeavour'd, also, to vindicate the Protector, in his Behaviour towards his Brother, before and at the Time when the Bill of Attaindure was depending. He calls him an evil Man, turbulent, and of ambitious Designs from the Beginning of the King's Reign. That he rais'd Soldiers, and threatn'd that he would make the blackest Parliament that ever was in England. That he was suspected to have poisoned his Wife, that excellent Woman, Queen *Katharine*; that being single, he might make his Ad-

King Edward VI. drefs to the Lady *Elizabeth*, the King's Sister, and one of the Heirs to the Crown. And adds, that, surely, Sir *John Hayward* had never read the Act of Parliament whereby that Lord was attainted, to term his Accusations to be *frivolous* and *pitiful Matters*. He goes on, and quotes from *Burnet's History of the Reformation*, who, he adds, hath exemplified, from the *Council-Book*, the Articles against him to the Number of thirty-three, which will shew what heavy Crimes was laid to his Charge. And which, although he was urged by the Lords of the Council, upon his Allegiance, to make Answer to, he would not be perswaded to do it; till, at last, he made some Answer to the three first, but no more; nor would he set his Hand to them.

The Reader may judge of these contrary Accounts as he pleases; or if he is desirous to read the whole Affair, he may consult Bishop *Burnet*, who is very copious about it: We shall only observe that, by the *Journals*, it appears that the Duke of *Somerset*, as Protector, sat in the House of Peers every Day, whilst the Bill of Attaindure against his own Brother was depending; and no doubt voted in this Case of Blood. From whence we may infer, that the Prosecution was but too pleasing to him; since he might have been well excused from such an Attendance on the Fate of so near a Relation, as well as signing a Warrant for his Execution.

He is beheaded.

On the 20th of *March*, the Admiral was beheaded; but, it was amply returned upon the Protector in a short Space after; and, as *Grafton* observes (*k*), the Fall of one Brother prov'd the overthrow of the other (*l*).

To

(*k*) *History of England. Sub hoc Anno.*

(*l*) *Heylin* draws up a short Parallel between the two Brothers. The Admiral was a Man of Address, well made, and brave in his Person; but not without an Allay of Haughtiness and Ambition. The Duke was of a more mild and condescending Temper, more susceptible of Impressions, and open in discovering his Mind. The Historian concludes, If their good Qualities had been joined, and their Defects discharged, they would both have made an admirable Man.

History of the Reformation, Pag. 245.

To go on with the *Journals*.

King Edward VI,

March the 12th, was expedited the Bill for granting a Subsidy from the Temporality to the King's Majesty. This, as the Act expresses it (m), was a Relief out of Sheep, Cloths, Goods and Debts, &c. A Subsidy; to be paid in three Years. The Clergy granted 6 d. in the Pound to be paid, also, in three Years. In the Preamble to their Bill they acknowledged the great Quietness they enjoyed under the King, having no Let nor Impediment in the Service of God. But the Laity set out their Subsidy with a much fuller Preamble 'of the great Happiness they ' had by the true Religion of *Christ*; declaring that ' they were ready to forsake all Things rather than ' *Christ*; as, also to assist the King in the Conquest ' of *Scotland*, which they call a Part of his Dominion; therefore they gave 12 d. in the Pound on ' all Men's personal Estates, to be paid in three ' Years.'

The next Day was read the third Time, and passed, a Bill for a general Pardon granted by the King.

And a general Pardon;

And on the 13th *ibidem*, the King being present in the House, all the great Officers of State, two Marquesses, eight Earls, seventeen Bishops and seventeen Barons, the Bills all obtain'd the Royal Assent. After which, his Majesty, in Person, prorogued this Parliament, again, to the 4th Day of *November* next ensuing.

There are the Titles of no less than sixty Acts passed this Session, in the Lord's *Journals*; in the printed Book of *Statutes* only thirty-nine. One Sir *William Sherrington*, Knight, was indicted and and attainted, by Confession, of High Treason for counterfeiting of *Telons* to the Value of 12,000 l. (n). Several Acts also passed for Restitution in Blood of Sir *George Darcey* and Sir *Ralph Bulmer*, Knights; *Henry Weston*, *Ralph Bigod*, *Edward Carleton*, *Thomas Percy*, Esqrs; and Mr. *Francis Carew*, Gentleman; who themselves, or their Ancestors, had

R 2

been

(m) *Statutes at large. Anno 2. & 3. Edward, VI. C. 36.*

(n) He was looked upon as an Accomplice with the Lord Admiral.
Burkett.

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King Edward VI been attainted for Rebellion in the last Reign. But we must not omit another Act, which was passed this Session, against eating Flesh in *Lent*. In the Preamble of which it is said, 'That though it is clear, ' by the Word of God, that there is no Day, nor ' Kind of Meat, purer than another, but that all ' are in themselves alike ; yet many out of Sensuality had contemned such Abstinence, as had been ' formerly used ; and since Abstinence was a Means ' to Vertue, and to subdue Mens Bodies to their ' Soul and Spirit, and was also necessary to encourage the Trade of Fishing, and for saving of Flesh ; ' therefore all former Laws about Fasting and Abstinence were to be, after the first of *May*, repealed ; and it was enacted, That from the first of ' *May*, none should eat Flesh on *Fridays, Saturdays, Ember-days*, in *Lent*, or any other Days ' that should be declared Fish-Days, under several ' Penalties. A Proviso was added for excepting ' such as should obtain the King's Licence, or were ' sick, and weak, and that none should be indicted ' but within three Months after the Offence.'

Act against eating
Flesh in Lent, &c.

And, lastly, we shall conclude our Account of the Proceedings of this Session, in the Words of another Ecclesiastical Writer (*o*), tho' it is on a quite different Affair, but, perhaps, more conducive to the public good than any of the former.

Bills for Relief
of the Poor ;

' There was one Thing debated in this Parliament, which may deserve to be here related. For the pacifying of the People, and making the Condition of the Poor easier against Grasiers and Gentlemen, who enclosed Commons, and neglected Tillage, *John Hales* (that had been lately in a Commission to enquire into Inclosures, and then saw and pitied the Oppression of the poor Country-People) devised three Bills to be put into Parliament ; unto which he first made many wise Men privy. The one was for the Re-edifying of Houses decayed, and for the Maintenance of Tillage and Husbandry. The other, against Regrating of Victuals and other Things,

(*o*) STYKE's *Ecclesiast. Memor*, Vol. II. Pag. 134.

Things, wherein one principal Point was, That ^{King Edward VI.} neither Graiers, nor none else, should buy any Cattle, and sell the same again within a certain Time. For, as the said *Hales* had learned, and knew of Certainty, divers Graiers and Sheep-Masters brought both Cattle and Money to the Market and if they could not sell their own as dear as they listed, they carried them home again, and bought all the rest. These two Bills were first put to the Lords. The first being read was not liked. The second they allowed and augmented, and sent down to the Lower House; where it was so debated and tossed up and down, and at last committed to such Men, and there so much deferred, that Mens Affections might there have been notably discovered. And, perhaps, (said *Hales*, relating this Matter in a Writing of his) he that had seen all this would have said, That the Lamb had been committed to the Wolfe's Custody. The third Bill was set forth first in the Lower House, and tended to this End, That every Man that kept, in several Pastures, Sheep or Beasts, should keep, for every hundred Sheep that he had above Sixscore, two Kine; and for every of these two Kine, should rear one Calf. And for every two Kine that he kept beside, more than ten, he should rear one Calf. By this Means he thought and believed, that the Nation should not only have Plenty of Beasts, whereof there was wonderful great Decay, but also thereby the Markets should be replenished with Milk, Butter and Cheefe, the common and principal Sustenance of the Poor. The said *Hales* had such an Opinion of this Bill, that he durst have laid his Life on it, that if it had proceeded, there would have been, within five Years after the Execution thereof, such Plenty of Victuals, and so good and cheap, as never was in *England*; and besides, a great many good Things ensue, very necessary and profitable for the Commonwealth of the Country. Which neither by the Execution of the late Commission, nor yet by any positive Law, then in being, could be holden. But, says *Hales*, *Demetrius* and his Fellows soon spied whereunto

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King Edward VI. this Thing tended. There was then, *Hold with me, and I will hold with thee* : Some alledged the Opinion of their Fathers in Time past (but these had been great Sheep-Masters) who when the like Bill had been propounded, would never consent unto it, but said that when any Scarcity of Cattle was, a Proclamation was made that no Calves should be killed for a Time. Some alledged, that Men then eat more Flesh than they did in Time past ; and that in *Lent* and other fasting Days heretofore, the People eat neither Butter, Milk nor Cheese, and would have them do so again for Policy Sake. And thus these rich Inclosers got the better of these good Bills intended for the Benefit of the Poor.'

Which miscarry,

**Anno Regni 3.
1549'**

**Act relating to
Riots, &c.**

On the Day appointed by the last Prorogation the same Parliament met again, which was *November* the 4th, in the third Year of this Reign : And the first Thing we find that the House of Lords went upon, was to bring in a Bill against the spreading of false and vain Prophecies against the King or his Council ; since by such Means the People were disposed to Sedition. For the first Offence, it was to be punished by a Year's Imprisonment, and ten Pounds Fine ; for the next, it was Imprisonment during Life, with the Forfeiture of Goods and Chatels. Also, another against the Rising of the Common People into unlawful Assemblies ; by which much Mischief had been done lately in the Kingdom. By this it was enacted, that if any to the Number of twelve, should meet together unlawfully, for any Matter of State, and continue for the Space of an Hour, and, being required by any lawful Magistrate, should not disperse themselves, it should be Treason. Bishop *Burnet* calls this a *severe Law* ; but it is the Model of our present *Riot Act*. It was made Felony, also, to gather the People together without Warrant, by ringing of Bells, Sound of Drum or Trumpet, or firing of Beacons. And, if any broke Hedges, or violently pulled up Pales, about Inclosures, without lawful Authority, it should be Felony. All these Laws were made on account of the Tumults the last Year, which spread into almost every

every County of *England*, and are the Subject of *King Edward VI.* some Pages of our larger Historians (p). Amongst whom, *Grafton* observes, that the Protector fell, by these Acts, two Years after, tho' they were no-ways intended so against him.

November the 14th, after both the aforesaid Bills were read a third Time in the House, all the Bishops joined in a Complaint to the Lords, ' That they were much despised by the Common People ; that Vice and Disorder much abounded ; and, that they durst not punish any Sin, by reason that some late Proclamations had almost totally deprived them of any Jurisdiction ; so that they could not oblige any Person to appear before them, or ob-serve the Orders of the Church.' This Complaint was heard, not without much Concern (q) by the rest of the Lords ; and that they might put a speedy Stop to this Evil, the Prelates were desired to draw some Form of a Statute for that Purpose.

On the 18th, a Bill was brought into the House, and read once, but rejected ; because, by it, the Bishops seemed to arrogate too much Power to themselves ; therefore, it was thought adviseable to appoint some prudent Persons, of each Order, after mature Deliberation on the Point, to draw up a second Bill. And, the Archbishop of *Canterbury*, the Marquess of *Dorset*, the Bishops of *Durham*, *Ely*, *Litchfield* and *Coventry* ; the Lords *Wharton* and *Stafford*, to whom were joined the Lord *Monteagle*, Lord Chief Justice of the Common-Pleas, the Lord Chief Baron, the King's Attorney and Solicitor-General were appointed a Committee for that Purpose. But, to make short of this Business, tho' the Lords passed a second Bill for the due Execution of Ecclesiastical Laws, one Clause of which was, That no Person should be employed in them but who had been a Student for some Years in an University ; yet it was laid aside by the Commons, after a second Reading in that House. They thought

A Bill for enforcing the Ecclesiastical Laws, passed by the Lords ; but dropt by the Commons.

(p) See *HOLLINGSHEAD's Chron. Sub Anno 1549.*

(q) *Hæc Querela ab omnibus Proceribus non sine Mæore audita est, Journal Procerum.*

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King Edward VI. thought it better, says Bishop *Burnet* (r), to renew the Design that was in the former Reign, of thirty-two Persons being authorised to compile a Body of Ecclesiastical Laws; and these, being nothing contrary to the Common and Statute Laws of the Land, should be published by the King's Warrant, under the Great Seal, and have the Force of Laws in the Ecclesiastical Courts (s). The Effect which this Ordinance had, will appear in the Sequel.

It is to be observed, that this Parliament sat every Day during the *Christmas* Holidays, except on the Great Festival; which Thing, as it is new, we may imagine some Matter of Moment was in Agitation. Accordingly, on the 2d Day of *January*, the *Journal* informs us, that the Grand Affair of the Duke of *Somerſet*'s came before them; introduced in this Manner;

Proceedings against the Duke of *Somerſet*,

‘ That as the said Duke, for divers great Crimes, committed against the King and Kingdon, had, on the 14th of *October* last, been thrown into Prison; this Day a Bill was read in the House, in which were contained twenty-nine Articles against him; all and singular of which the said Duke had signed with his own Hand; and had humbly cast himself upon his Majesty's Judgment and Will. Which voluntary Confession, confirmed by his subscribing it, they all made no Doubt of; nevertheless, considering how easily precipitate Judgments may be drawn into Precedents, they thought proper, from their Body, to send two Earls, two Barons, and four Bishops, to learn from his own Mouth, whether the said Duke signed the said Articles voluntarily, or by Compulsion. And the Earls of *Westmorland* and *Bath*, the Bishops of *Litchfield*, *Hereford*, *Worcester* and *Westminster*, the Barons

Cob-

(r) *BURNET'S Reformation*, Vol. II. Pag. 141.

(s) These Religious Articles were, some Time after, compiled and made a Body of Laws. They were first printed in 1571, and again in 1640, under the Title of, *Reformatio Legum Ecclesiasticarum*. The Names of the Commissioners may be seen in King *Edward VIth*'s *Journal*, printed in Bishop *Burnet*'s Appendix to his 2d Vol. Pag. 46.

‘*Cobham* and *Morley*, were named for that Pur- King Edward VI.
‘pose.’

On the next Day, the said Lords Commissioners informed the whole House, that they had been with the said Duke, and that he had acknowledged to them the Signing of the said Articles, and confessed all the Crimes and Errors contained in them. And, besides, he returned his most hearty Thanks to the House, for their great Humanity in sending such an honourable Embassy to him.

Bishop *Burnet* writes, from the *Council-Book*, that the Duke had made his Confession, on his Knees, before the King and Council, and signed it on the 13th of *December* last. He protested that his Offence had flowed from Rashness and Indiscretion, rather than Malice, and that he had no treasonable Design against the King or his Realms. So he was fined, by Act of Parliament, in 2000 l. a Year in Land, and the Forfeit of all his Goods and Offices, which were Earl *Marshal*, Lord *Treasurer*, and Lord *Protector*. But his Carriage, after this appeared so meek and humble, that the King was prevailed upon to pardon him for that Time. And, some Time after, to make him, again, one of his Privy Council.

On the first Day of *February*, the King came to the House, and, after giving the Royal Assent to the Bills, he prorogued the Parliament to the 21st of *April* next following.

The *Journals* of the Lords give us the Titles of thirty-one Acts that were passed this Session; the *Statute-Books* only twenty-four; the most remarkable of which, that are not already mentioned, are these;

In Religious Affairs, there was a Bill brought into the House of Lords, for the repealing of a Branch of the Act of Uniformity; but it went no farther than one Reading. There was also a Bill brought into the House of Commons, that the preaching up and holding some Opinions should be deemed Felony; it passed with them, but was laid aside by the Lords. But, another Bill for a Form in ordain-
ing

King Edward VI. ing Ministers passed both Houses (t), tho' in the Upper House, the Bishops of *Durham, Carlisle, Worcester, Chichester, and Westminster*, protested against it. An Act was passed, also, in this Session, by which it was declared, that all Books used in Churches, such as *Antiphonales, Missals, Grayes, Processionals, Manuals, Legends, Pies, Portuasses, Journals, Couchers and Ordinals*, after the Use of *Sarum, Lincoln, York*, or any other private Use, should be destroyed : And all those who had any Image, that did belong to any Church or Chapel, were required to deface it before the last Day of *June*. And, in all Primers, in *Latin or English*, set out by the late King, the Prayers to the Saints were to be obliterated. But the Earl of *Derby*, the Bishops of *Durham, Litchfield and Coventry, Carlisle, Worcester, Westminster and Chichester*, with the Lords *Sturton, Morley, Windsor and Wharton*, protested against this Act. By virtue of the afore-mentioned Statute, Visitors were appointed to visit the Churches in *London*; and all the Images, at *St. Paul's* and the other Churches in the City, were taken down and broke in Pieces; which Example was afterwards followed thro' all the other Churches in *England* (u). By which a great many beautiful out-side Fronts, in our Cathedrals, &c. were much deformed; the Pedestals and Niches ever since left bare and naked, the Images being almost all destroyed at this Time. This Piece of Anti-Idolatry may be thought by some as blameable as the Worship of Images; and a *Papist* would not stick to apply here the Saying of the *Psalmist*, 'A Man was famous, according as he had lifted up Axes upon the thick Tree; but now they break down the carved Work thereof with Axes and Hammers (x).' But there was a Proviso, in this Act, that Images upon the Tombs of any King, Prince, Nobleman, or other dead Person, not reputed a Saint, might still remain.

Other Acts passed. A Law was made this Session, against Vagabonds, by which a former Statute of this Reign was repealed,

(t) *Statutes at large*, 3. 4. *Edward VI. C. 12.*

(u) *HOLLINGSHEAD'S Chron.* Pag. 992.

(x) *PSALM LXXIV.* Ver. 6, 7.

pealed, and an Act, made in the late Reign, put in Force. Provisions were laid down for relieving the Sick and Impotent, and setting the Poor, that were able, to Work; whereby once a Month there should be a Visitation of the Poor, by those in Office, who should send away such as did not belong to that Place, to such Places as were obliged to look after them. An Act concerning the Improvement of Commons and waste Ground. An Act for disinheriting of *William West*, Knight; *Thomas Isley*, Esq; and *Mary Seymour*, Daughter and Heir to the Lord *Sudley*, late Admiral of *England*. An Act was also made, whereby, the Subsidy granted to the King the last Year, on Sheep, Cloths, &c. was released, and that on Goods continued. And, in lieu of the former, a Tax of one Shilling in the Pound was laid on Goods, and for Aliens two Shillings. Last of all comes the King's general Pardon, out of which the Prisoners in the *Tower*, or other Prisons, for Matters of State, were excepted; as also, all *Anabaptists*, a Sect lately imported from *Germany* (y).

But we must not omit one Circumstance relating to the Rules of the House of Commons, mentioned in their *Journal*. It seems that before this Time the eldest Sons of Peers were not allowed to be Members of that House; and Sir *Francis Russel*, being, by the Death of his elder Brother, Heir apparent to the Lord *Russel*, it was, upon the 21st of *June*, carried upon a Debate, *That he should still abide in the House as he was before*. Resolution of the Commons as to the eldest Sons of Peers.

From the 21st Day of *April*, this Parliament was again prorogued, by the King's Letters Patents, directed to the Lord Chancellor, Lord Treasurer, &c. to the 10th Day of *October* next ensuing. And from that Day another Prorogation happened to the 20th Day of *January* following; from which Time it suffered one more Prorogation to the 2d of *March*, but did not meet, still, to do Business, 'till the 23d Day of *January*, in the fifth Year of this Reign.

At

(y) Two Persons were executed, in this Reign, for being *Anabaptists*.

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King Edward VI. At which Time, the Parliament being once more assembled at *Westminster*, they continued sitting 'till Anno Regni 5, the 14th of *April* following. The Business that was done in this Session, which is any ways historical, we shall put under two Heads, Religious and Civil. And,

The Parliament meet after several Prorogations. The first Act that was brought into the House of

A New Common Prayer-Book authoris'd by Parliament.

Lords, on the former Affair, was in order to bring Men to Divine Service ; which was agreed to on the 26th, and sent down to the Commons. Here it laid a long Time, for it was not 'till the 6th of *April* that we hear of it again ; when we find it tacked to another Bill by the Commons, called, An Act for the Uniformity of Service and Administration of Sacraments throughout the Realm. Which was to authorise a new *Common Prayer-Book*, according to some Rules agreed on last Year. This the Commons joined to the former, and so put both in one Act : By this it was first set forth, ‘ (x) That ‘ an Order of Divine Service being published, many ‘ did wilfully abstain from it, and refused to come ‘ to their Parish Churches ; therefore all are required, after the Feast of *Allhallows* next, to come ‘ every *Sunday* and *Holiday* to Common-Prayers ‘ under Pain of the Church’s Censure. And the ‘ King, the Lords Temporal, and the Commons, ‘ did, in God’s Name, require all Archbishops, Bishops, and their Ordinaries, to endeavour the ‘ due Execution of that Act, as they would answer ‘ before God for such Evils and Plagues, with ‘ which he might justly punish them, for neglecting ‘ this good and wholiome Law ; and they were ‘ fully authorised to execute the Censures of the ‘ Church on all that should offend against this Act.’ To which is added, ‘ That there had been divers ‘ Doubts about the Manner of the Ministration of ‘ the Service, rather by the Curiosity of the Ministers ‘ and Mistakers, than of any other Cause ; and that ‘ for the better Explanation of it, and for the greater Perfection of the Service, in some Places where ‘ it

' it was fit to make the Prayer and Fashion of Service King Edward VI.
 ' more quick and earnest, to stir up Christian People
 ' to the true honouring of Almighty God ; there-
 ' fore it had been by Command of the King and
 ' Parliament perused, explained, and made more
 ' perfect.' There was also, annexed to it, the
 Form of making Bishops, Priests and Deacons ; and
 so this new Book of Service was appointed to be
 every where received, after the Feast of *All Saints*
 next, under the same Penalties that had been enacted
 three Years before, when the former Book was put out.

Bishop *Burnet* observes, that on the Appearance
 of this Act, the *Papists* said, That the *Reformation*
 was like to change as oft as the Fashion did ; since
 they seemed never to be at a Point in any Thing,
 but new Models were thus continually framing.
 To which was answered, That it was no Wonder
 that the Corruptions which they had been introduc-
 ing, for above a thousand Years, were all to be
 thrown out at once ; but now the Business was
 brought to a fuller Perfection, and they were not
 like to see any more material Changes. And
 indeed this was true ; our present Book of *Common-
 Prayer*, with the Act of *Uniformity* at the Head of
 it, being pretty near the same, with what was pub-
 lished at that Time.

On the 3d of *March*, a Bill was brought into the Act for Observa-
 House of Lords, for the Observation of Holy-Days tion of Holy-
 and Fasting-Days. It was sent down to the Com- Days.
 mons on the 15th, by whom it was passed, and it
 after had the Royal Assent. In the Preamble to
 this Bill it was set forth,

' That Men are not at all Times so set on the
 ' Performance of religious Duties as they ought to
 ' be ; which made it necessary that there should be
 ' set Times, in which Labour was to cease, that
 ' Men might on these Days wholly serve God.
 ' Which Days were not to be accounted holy of
 ' their own Nature, but were so called because of
 ' the holy Duties then to be set about ; so that the
 ' Sanctification of them, was not any magical Vir-
 ' tue

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King Edward VI.

‘ tue in that Time, but, consisted in the dedicating
 ‘ them to God’s Service. That no Day was dedi-
 ‘ cated to any Saint, but only to God in Remem-
 ‘ brance of such Saints. That the Scripture had
 ‘ not determined the Number of Holy-Days, but
 ‘ that these were left to the Liberty of the Church.
 ‘ Therefore it was enacted, That all *Sundays*,
 ‘ with the Days marked in the Kalendar and Li-
 ‘ turgy, should be kept as Holy-Days; and the
 ‘ Bishops were to proceed by the Censures of the
 ‘ Church against the Disobedient.’ A Proviso was
 added, for the Observation of *St. George’s* Feast by
 the Knights of the Garter; and another, that
 Labourers and Fishermen might, if Need so required,
 work on those Days either in or out of Harvest.
 The Eves before Holy-Days were to be kept as
 Fasts; and in *Lent*, and on *Fridays* and *Saturdays*,
 Abstinence from Flesh was enacted. But, if a
 Holy-Day was to fall on a *Monday*, the Eve for it
 was to be kept on *Saturday*, since *Sunday* was never
 to be a Fast. But, as Bishop *Burnet* again observes,
 in this and all such Acts, the People were ready
 enough to lay hold on any Relaxation made by it,
 but did very slightly observe the stricter Parts. So
 that the Liberty left to Tradesmen, to work in
 Cases of Necessity, was carried farther than it was
 intended, to a too publick Profanation of the Time
 so sanctified; and the other Part, directing the Peo-
 ple to a conscientious Observance of such Times,
 was little minded.

A Bill in Favour
 of the Clergy,
 thrown out by
 the Commons.

March the 9th, the Bishops brought in a Bill, for
 the Security of the Clergy from some ambiguous
 Words that were in the Submission which the Con-
 vocation had made to the late King, in the twenty-
 first Year of his Reign; by which they were under
 a *Præmunire*, if they did any Thing in their Courts
 contrary to the King’s Prerogative; which was
 thought hard, since some thro’ Ignorance might
 transgress. Therefore it was desired that no Prelate
 should be brought under a *Præmunire*, unless they
 had proceeded in any Thing after they were prohib-
 ited

bited by the King's Writ. To this Bill the Lords ^{King Edward VI.} consented, but it was thrown out by the Commons.

Another Bill was brought in for the Marriage of the Clergy; this was introduced to the House of Lords, on the 6th of *February*, and passed on the 10th; the Earls of *Shrewsbury* and *Derby*, *Rutland* and *Bath*, with the Lords *Abergavenny*, *Stourton*, *Monteagle*, *Sandys*, *Windsor* and *Wharton*, protesting against it. This Bill passed into a Statute; and by it was set forth,

‘ (a) That many took Occasion, from the Words
‘ in the Act formerly made about this Matter, to
‘ say, That it was only permitted, as Usury and o-
‘ ther unlawful Things were, for the avoiding great-
‘ er Evils; who thereupon spoke slanderously of
‘ such Marriages, and accounted the Children, be-
‘ gotten of them, to be Bastards; to the high Dis-
‘ honour of the King and Parliament, and the learn-
‘ ed Clergy of the Realm; who had determined,
‘ that the Laws against Priests Marriages were
‘ most unlawful by the Law of God; to which
‘ they had not only given their Assent, in Convo-
‘ cation, but signed it with their own Hands.
‘ These Slanders did also occasion that the Word of
‘ God was not heard with due Reverence; where-
‘ upon it was enacted, That such Marriages, made
‘ according to the Rules prescribed in the Book of
‘ Service, should be esteemed good and valid; and
‘ that the Children, begot in them, should be inhe-
‘ ritable according to Law.’

By another Act, the Bishoprick of *Westminster*, erected after the Suppression of the Abby there, was quite dissolved, and annexed to the See of *London*; but the Collegiate Church, with its exempted Jurisdiction, was still continued. One more religious Bill passed both Houses against Simoniack Practices, the Reservation of Pension out of Benefices, and the granting Advowsons while the Incumbent was yet alive. It was agreed to by the Lords, the Earls
of

(a) Burnet, Pag. 192. Statutes at large, Anno 5. 6. Edward VI.
C. 12.

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King Edward VI.

of *Rutland, Derby and Suffex*, the Viscount *Hereford*, the Lords *Monteagle, Sandys, Wharton* and *Evers*, dissenting. But, for what Reason is uncertain, the King did not give his Assent to it.

A Project for depriving Tunstall Bishop of Durham, miscarries.

A private Bill, though it did not affect the whole Church, yet a very considerable Member was designed to be much hurt by it, came on before the House of Lords. The Title was, A Bill for the Deprivation of the Bishop of *Durham*, for certain heinous Offences by him committed. It was brought in on the 28th of *March*, and passed on the 31st; *Cranmer* Archbishop of *Canterbury*, and the Lord *Stourton* only dissenting. This Bishop of *Durham* was *Cuthbert Tunstall*, a Man very famous for Learning and Morality; and in Religion as steady to the Catholic as he durst. For tho' he had, as Bishop *Burnet* observes, always protested against the Changes in Religion in Parliament, yet he thought he might, with a good Conscience, obey them when passed into Laws, tho' he did not, himself, consent to them. This Blow was aimed at him by the Duke of *Northumberland*, the Prime Minister after *Somerset's* Death, and who wanted the Dignity, Jurisdiction, and Principality of the County Palatime of *Durham* to be conferred upon himself. But he missed his Aim; for when the Bill was brought before the Commons, they required that the Accusers and the Accused might be heard Face to Face; which, not being allowed, they drop'd the Bill (*b*).

The Civil Affairs which were transacted this Session are not so numerous as the former. The first we meet with bears this Title, *An Act for the Punishment of divers Kinds of Treasons*. The Bill was brought into the House of Lords, on the 16th of *February*, and passed on the 20th; the Lord *Wentworth*

(*b*) One more Act passed this Session, which was called, *An Act against Fighting in Churches, and Church-Yards*. By which Statute the Quarrel was to be punished by Suspension; to strike, by Excommunication; and to draw any Weapon, by the Loss of Ears.

See the *Journal*; also *Statutes at large, Anno 5 and 6, Edward VI. C. 6.*

worth only dissenting. But, when it was sent down to the Commons, it occasioned a long Debate, and many sharp Things was said of those who now bore the Sway. It was urged, that at the Beginning of this Reign the Ministry then put in a Bill for lessening the Number of such Offences; but now they saw, by the Change of Councils, more severe Laws were proposed. At last the Commons rejected the Bill, but drew up a new one, which passed into a Law. By it was enacted,

‘ That if any should call the King, or any of his Heirs, named in the Statute of the 35th of the last Reign, Heretic, Schismatic, Tyrant, Infidel, or Usurper of the Crown; for the first Offence, they should forfeit their Goods and Chatels, and be imprisoned during Pleasure; for the second, should be in a *Præmunire*; for the third, should be attainted of Treason. But, if any should unadvisedly set it out in Writing, Printing, Painting, Carving or Graving, he was, for the first Offence, to be held as a Traitor. Likewise, that those who should keep any of the King’s Castles, Artillery, or Ships, six Days after they were lawfully required to give them up, should be guilty of Treason. That Men might be proceeded against for Treasons committed out of the Kingdom as well as in it. They, also, added a Proviso, that none should be attainted of Treason on this Act, unless two Witnesses should come, and to their Face aver the Fact, for which they were to be tried; except such as, without any Violence, should confess it; and that none should be questioned for any Thing, said or written, but within three Months after it was done.’

King Edward VI.
Act relating to High Treason;

March the 5th, a Bill was read in the House of Lords, for the first Time, for Taxes and Assessments for Relief of poor and impotent Persons, and committed. The Bill bears this Title in the Lords *Journal*, and it passed the House in that Form. But this gave Occasion to some Members in the other House, when the Bill came before them, to take Notice that it was designed to lay a Tax

And for Relief of the Poor.

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King Edward VI. on the Subject ; which was a Jealousy not easy to get over in those Days. So that when the Act passed it had only this Title, *An Act for the Provision and Relief of the Poor* ; by which the Churchwardens were impowered to gather charitable Contributions for the Poor ; and if any did refuse to contribute, or did dissuade others from it, the Bishop of the Diocese was to proceed against them.

Another relating to Usury. Another Bill was brought in against Usury, which passed both Houses, and was made a Statute. By it, an Act passed in the 37th Year of the late King, ' That none might take above twenty *per Cent.* on Money lent, was repealed ; which they said was not intended for the allowing of Usury, but for preventing farther Inconveniences. And since Usury was by the Word of God forbidden, and set out in divers Places of Scripture as a most odious and detestable Vice, which yet many continue to practise for the filthy Gain they make by it ; therefore, from the first of *May*, all Usury or Gain from Money lent, was to cease ; and whosoever continued to practise to the contrary, was to forfeit both Principal and Interest, to suffer Imprisonment, and to be fined at the King's Pleasure.' This severe Act has been since repealed ; and several Regulations have been made at divers Times for settling this Affair of *Usury*. Bishop *Burnet* has left us a learned Dissertation on the Lawfulness or Unlawfulness of *Usury*, both according to *Levitical* and *Christian* Practice ; and he concludes, that it was impossible that this Law could be observed in *England*, or any other trading Part of the World (a).

An Act was made this Session for the encouraging of the Woolen Manufactory, directing the true making of Broad Cloaths. With several more of less Significancy ; amongst which one must not be omitted, because the Passing of this, with some other Incidents which happen'd in the House of Commons, determined the Fate of this Parliament.

April

(a) *BURNET's Reformation*, Vol. II. Pag. 192, 193.

April the 12th, the *Journal* informs us, a Bill ^{King Edward VI.} was read in the House of Peers a third Time, 'for the Limitation of the late Duke of *Somerſet's* Lands; and, alſo, one other Bill confirming the Attaindure of the ſaid Duke, Sir *Thomas Arundele*, Sir *Michael Stanhope*, Sir *Ralph Fane*, and Sir *Miles Partridge*. Which being three Times read, and agreed unto by the Lords, were ſent down to the Lower Houſe, by Serjeant *Brook* and the King's Sollicitor, with Requeſt that it might be annexed to the aforeſaid Act againſt the Duke.'

The Duke of *Somerſet* had again fallen into a Trap, which his Enemies had laid for him; but he did not eſcape ſo well in this, for it proved fatal to him. He was tried by his Peers, on an Indictment of High Treason and Felony; acquitted of the firſt, but found guilty of the Felony; for which he was beheaded on *Tower-Hill*. The Statute, on which this Nobleman was condemned, is mentioned before (b); but the main Reaſon which made him a Prey to the Earl of *Warwick* and the reſt of his implacable Enemies, was the Loſs of his Brother; His own Strength and Capacity not being ſufficient to ſtem the Violence of the Stream which then run againſt him.

The Duke of
Somerſet attain-
ed and beheaded:

But to return to the Statute.

Bishop *Burnet* writes, 'That the Duke of *Somerſet's* Eſtate had been entailed, by Act of Parliament, on his Son, (c) in the 23d Year of the late Reign; and that the Bill for the Repeal of the ſaid Act was ſent down to the Commons on the 3d of *March*, and ſigned with the King's own Hand. Whether, adds this Author, the King was ſo alienated from his Uncle, that this extraordinary Thing was done by him, for the utter Ruin of his Family, or not, he cannot determine; but he rather thinks it was done in Hatred to the Duchefs of *Somerſet* and her Iſſue (d). For

Observations
thereon.

S 2 the

(b) In the 3d and 4th of *Edward VI.* p. 243.

(c) *Edward*, by his ſecond Wife.

(d) Her Name was *Anne*, Daughter of Sir *Edward Stanhope* of *Shelford*, a Woman of a moſt virulent Temper, according to Sir *J. Hayward* and Dr. *Heylin*, and one who had pushed the Duke to ſuch Actions as begun with the Deſtruction of his Brother, and ended with himſelf.

King Edward VI. the Estate was entailed on them by that Act of Parliament, in Prejudice of the Issue of the former Marriage, of whom are descended the *Scymours of Devonshire*; who were disinherited and excluded from the Duke of *Somerset's* Honours by his Patents, and from his Estate by Act of Parliament; partly upon some Jealousies he had of his former Wife, but chiefly by the Power his second Wife had over him.

However, this Bill of Repeal was much opposed in the House of Commons, tho' sent to them in so unusual a Way by the King himself. And tho' there was, on the 8th of *March*, a Message sent from the Lords, that they should make haste towards an End of the Parliament, yet still they stuck long upon it; looking upon the breaking of Entails, made by Act of Parliament, as a Thing of such Consequence that it dissolved the greatest Security which the Law of *England* can give to Property. It was long argued in the Commons, and was fifteen several Days brought in. At last a new Bill was devised, and that was much altered too; and it was not quite ended 'till the Day before the Parliament was dissolved. But near the End of the Session, a Proviso was sent by the Lords to be added to the Bill, confirming the Attaindure of the Duke and his Complices. It seems his Enemies would not try this at first, 'till they had by other Means, measured their Strength in that House; and finding their Interest grow there, they adventured on it; but they mistook their Measures, for the Commons would not agree to it; tho', in Conclusion, the Bill of Repeal was agreed to. But, whereas there had been some Writings for a Marriage between the Earl of *Oxford's* Daughter and the Duke of *Somerset's* Son, and a Bill was put in for cassating them; it was carried in the Negative on a Division of the House, sixty-nine against sixty-eight. The Prelate here remarks, that a hundred and thirty-seven Members was a very thin House at that Time; but this, he adds, was a natural Effect of a long Parliament; many of those

who were first chosen being infirm, and others not ^{King Edward VI.} willing to put themselves to the Charge of so constant and long Attendance.

We have chose to copy Bishop *Burnet*, in his Account of these Particulars ; but either he or the *Journal* of the House of Lords must err in some of them. It appears evidently, by that Authority, that there was no mention made of either of these Bills, against the Duke, till the 11th of *April*, when the Limitation-Bill was sent up from the Lower House ; it was read a first and second Time that Day, and a Proviso added to it ; and the Day following it passed the Lords, and had there the Bill of Attainder tack'd to it, in the Manner as hath been recited. So that where the Prelate got his Intelligence of the Bill passing on the 3d of *March*, and sent down signed by the King, as also the Message on the 8th *ibidem*, we know not.

The Bill of Attaindure not passing in the Lower House against the Duke of *Somerjet* ; the Proviso in the Treason-Act, mention'd before ; and that House refusing to pass the Bill against the Bishop of *Durham*, unless he was confronted by Witnesses before them, shew'd plainly what Sense the Commons had of this Duke's Condemnation. It also gave the Duke of *Northumberland* a perfect Knowledge how little Kindness they had for him ; for this Parliament being called by *Somerjet*, his Friends had been generally chose to be in it ; and it is no Wonder, if, upon his Fall, they were not over complaisant to those who had destroy'd him. In short, the Minister made no Motion for a Supply this Session, tho' the King's Debts were then very great (e), and to gain one he found it necessary to call a new Parliament ; accordingly, on the 15th of *April* the old one was dissolv'd, after sitting almost five Years ; and the Minister made it his Business, all that Summer, to gain Friends all over *England*, in order to have

The King greatly in Debt.

The Parliament dissolv'd.

S 3

another

(e) Mr *Styve* has preserved a Schedule of these Crown Debts, which we here subjoin ;

* The King had taken up great Sums from Banks, and Persons beyond the Seas ; and was indebted to them this Year the Sum of

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King Edward VI. another Parliament the next Year more fit for his Purpose.

We shall conclude our Account of the Proceedings of this Parliament, with an Abstract out of King *Edward's* Journal, written by himself.

'April 15. The Parliament broke up, and because I was sick, and not able well to go abroad as then, I signed a Bill, containing the Names of the Acts which I would have to pass; which Bill was read in the House. Also, I gave Commission to the Lord Chancellor, two Archbishops, two Bishops, two Dukes, two Earls, and two Barons, to dissolve wholly this Parliament.' The King was then ill of the Measles and Small Pox; it is somewhat strange that this Commission is not taken Notice of in the *Lords Journal*; which concludes in these Words, *Dominus Cancellarius, ex Mandato Regis, presens Parliamentum dissolvit.*

A new Parliament call'd.

Towards the Conclusion of the Year 1552, the King called a new Parliament; and, as hath been hinted before, great Care was taken by the Court to have it answer their Expectations. Another Ecclesiastical

132,372 l. 10s. Of this Sum 1000 l. was for a Diamond. Besides Debts within the Realm, 108,807 l. 4s. 10d. The Total Sum amounted to 241,179 l. 14s. 10d. The Particulars of the Debts within the Realm were as follows:

	l.	s.	d.
To the Household	28000		
To the Chambre	20000		
To the Wardrobe	6075	18	
To the Stable	1000		
To th' Admiraltie	5000		
To th' Ordinaunce	3134	7	10
To the Surveyor of the Works	3200		
To Calleys	14000		
To Barwyck	6000		
To the Revels	1000		
To Silley and Alderney	1000		
To Ireland	13128	6	8
To Winter, for his Voyage to Ireland	471	4	6
To Bartilmewe Compagni, [the King's Merchant]	4000		
To Portsmouth and th' Isle of Wight	1000		
To the Men of Armes	800		
To the Lieutenant of the Tower	997	7	10

108807 4 10

Styrpe's *Ecclef. Memorials*, Vol. II. p. 312.

fastical Historian (*f*) tells us, that the King, as his Years came on, began to set himself about Business; and, as he intended to have this Parliament composed of Men endowed with good and great Abilities, to consult with him on the pressing Affairs and Difficulties of his Kingdom, he caused Letters to be wrote to every Sheriff in the Realm, directing them whom to chuse for that Purpose. It is very probable that the Duke-Minister put this specious Gloss upon it, in order to impose upon the King's natural Goodness; but this Way of Proceeding, by influencing Elections, is by no means justifiable by the ancient Custom and Usage of the Realm. The Letter itself, which the aforesaid Author hath given us, is a sufficient Testimony of this; and is too material to be omitted in these Enquiries. It is as follows.

King Edward VI.

Trusty and well-beloved we greet you we'll. Forasmuch as we have, for diverse good Considerations, caused a Summation for a Parliament to be made, as we doubt not but yee understand the same by our Writs sent in that Behalf unto you; we have thought it meet for the Furtherance of such Causes, as are to be propounded to the said Parliament, for the common Weal of our Realm, that in the Election of such Persons as shall be sent to the Parliament, either from our Counties, as Knights thereof, or from our Cities and Boroughs, there be good Regard had, that the Choice be made of Men of Gravity and Knowledge in their own Countries and Towns, fit, for their Understandings and Qualities, to be of such a great Council. And therefore, since some Part of the Proceeding herein shall rest in you, by Virtue of your Office, we do, for the great Desire we have that this our Parliament may be assembled with Personages out of every Country, of Wisdom and Experience, at this Present, will and command you that ye shall give Notice, as well to the Freeholders of your County, as to the Citizens and Burgeses of any City or Borough, which shall have any of our Writs by your Direction, for the Election of Citizens and Burgeses, that our Pleasure and Commandment

The King's Letter to the Sheriffs for electing such as the Privy Council should recommend.

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King Edward VI. *mandment is, that they shall chuse and appoint, (as nigh as they possibly may) Men of Knowledge and Experience, within the Counties, Cities and Boroughs; so, as by the Assembly of such, we may by God's Goodness provide (thorough the Advice and Knowledge of the said Parliament) for the Redress of the Lacks in our Commonweal, more effectually than heretofore hath been. And yet, nevertheless, our Pleasure is, that where our Privy Council, or any of them within their Jurisdictions, in our Behalf, shall recommend Men of Learning and Wisdom; in such Case their Directions be regarded and followed, as tending to the same which we desire, that is, to have this Assembly to be of the most chiefeſt Men in our Realm, for Advice and good Council.*

After this followed several Letters, from the King himself, recommending particular Persons to the High Sheriffs to be elected Knights. As one to the Sheriff of *Hampshire*, for the electing Sir *Richard Cotton* for that County. The like Letter to the Sheriff of *Suffolk*, for the electing of Sir *William Drury* and Sir *Henry Benningfield*. To *Bedfordshire*, for Sir *John St John*, Knt. and *Lewis Dyve*, Esq; To *Surrey*, for Sir *Thomas Cavarden*, Knt. and *John Vaughan*, Esq; To *Cambridgeshire*, for Sir *Edward North* and *James Dyve*, Esq; To *Berks*, for Sir *William Fitzwilliams* and Sir *Henry Nevyl*. To the Sheriff of *Oxen*, for Sir *John Williams* and *Richard Fines*, Esq; To *Northamptonshire*, for Sir *Nicholas Throgmorton* and *Robert Lane*, Esq; No more were recommended by the King's Letters; but no doubt those from the Privy Council must take in great Part of the whole Kingdom.

The Writs for calling this Parliament, and these Letters were sent out in *January*, and it was ordered to meet the first of *March* following.

Anno Regni 7,
1552.

John Stowe (g) gives us the Ceremonials at the Opening, in this Manner. 'The first of *March* began a Parliament at *Westminster*; and all the Lords Spiritual and Temporal, assembled that Daie in the *White-hall*, in their Robes, where a

Sermon

(g) *Stowe's Chronicle*, p. 609.

‘ Sermon was preach’d in the King’s Chapel, by King Edward VI.
 ‘ Doctor *Ridley* Bishop of *London*, and his Majesty
 ‘ with diverse Lords receiv’d the Communion.
 ‘ Which being done, the King, with the Lords in
 ‘ Order, went into the King’s great Chamber, on
 ‘ the King’s Side, which that Day was prepared
 ‘ for the Lordes House, the King sitting under his
 ‘ Cloth of Estate, and all the Lords in their De-
 ‘ grees; the Bishop of *Ely*, Doctor *Godricke*, Lord
 ‘ Chancellor, made a Proposition for the King,
 ‘ which being ended the Lords departed. This
 ‘ was done because the King was sickly.’

But the Reason why this Parliament sat at *White-
 ball* was, because the King was so far gone in a
 Consumption that he was not able to go to *Westmin-
 ster*. The next Day, the same Author tells us,
 that *James Dyer*, or *Diar*, Esq; was chosen Speaker
 of the House of Commons (*b*). And now the Lords James Dyer, Esq;
Journal informs us, that the first Thing of Note elected Speaker.
 that they went upon, was to bring in a Bill, for the
 better answering the Revenues of the Crown, that
 all Treasurers and other Persons, having the Receipt
 of any of the King’s Money, shall be yearly ac-
 countable, and put in Sureties for the same. This
 Bill occasioned some Debate, and on the third Read-
 ing, the Earl of *Pembrake*, the Lords *Morley*, *Bo-
 rough*, *Bray*, *Wentworth*, *Russel*, and *Rich*, pro-
 tested against it. And when it was sent down to
 the Commons they wholly rejected it; but sent
 back a new Bill to the same Purpose which passed
 into a Statute.

Two other Bills also, in relation to the State of
 the Coinage, were introduced; the first was, that
 it should be Felony to give for any of the current
 Coin of the Kingdom above what was appointed by
 the King’s Proclamation. The other, against the
 Exportation of Gold and Silver out of the Realm.
 The first was rejected, but the last pass’d into a
 Law; which was no more than reviving a Statute
 made the 17th *Edward IV.* for the same Purpose;
 and was to continue for twenty Years.

March

(*b*) Author of the Reports; and Chief Justice of the Common-
 Pleas, Anno 1 *Elizabethæ*.

King Edward VI. *March 13.* A Bill for a Subsidy and two *Fifteenths* and *Tenths*, by the Temporality, was sent up by the House of Commons, and passed by the Lords on the 17th; it was granted for two Years.

A Subsidy. This Bill occasioned great Debates in the Lower-House. The Preamble to it was a long Accusation of the Duke of *Somerset*, 'For involving the King 'in Wars, wasting his Treasures, engaging him 'in much Debt, embasing the Coin, and having 'given Occasion for a most terrible Rebellion. In 'fine, considering the great Debt the King was left 'in by his Father, the Loss he put himself to in reforming the Coin, and they finding his Temper 'to be set wholly on the Good of his Subjects, and 'not on enriching himself; therefore they gave 'him two *Tenths* and two *Fifteenths* for two 'Years (b).'

Whether the Debate in the House of Commons was upon this extraordinary Demand of a Supply, or on the Preamble is uncertain. But, it is probable, that when the Bill came to be engrossed it was on the latter; which the Duke of *Northumberland* and his Party, were the more eagerly set on, to let the King see how acceptable they were, and how hateful the Duke of *Somerset* had been to the People. The Clergy also, to shew their Affection and Duty, says *Burnet*, gave the King six Shillings in the Pound on all their Benefices; which Grant, according to Custom, ever since the *Reformation*, was confirmed by Parliament.

In Ecclesiastical Affairs, there was a Bill sent down from the Lords, that none might hold any Spiritual Promotion, unless he was either Priest or Deacon. The Reason of it was, because many Noblemen and Gentlemen's Sons had Prebends given them, on this Pretence, that they intended to fit themselves, by Study, for Holy Orders; but these they kept, tho' their Studies went no farther. The Bishops had prevailed upon the Lords to pass the Bill; but, at the third Reading, it was cast out by the Commons; which shews what poor Interest the

(b) See the Preamble at large in *Rassal's Stat.* 7 Ed. VI. Cap. 12.

the Clergy had then in that House when so reason- King Edward VI.
able a Bill was rejected.

But the most extraordinary Act, on Church Affairs, which passed this Session, was that for the Suppression of the Bishoprick of *Durham*; which *Burnet* says is so strangely misrepresented, by those who never read more than the Title of it, that he thinks proper to give a full Account of it. The Bill was brought into the House of Lords on the 20th of *March*, and passed both Houses soon after. The Preamble sets forth,

That this Bishoprick being then void of a Prelate, the Gift thereof was in the King's Pleasure; and the Compass of it being so large as to extend itself into several Shires far distant, it could not be sufficiently served by one Bishop; and since the King, by his godly Disposition, was desirous to have God's Holy Word preached in those Parts, which were wild and barbarous for lack of good Preaching and good Searching: Therefore he intended to have two Bishopricks for that Diocess; the one at *Durham*, which should have 2000 Marks yearly Revenue, and another at *Newcastle* with 1000; and also to found a Cathedral Church at the latter Place, with a Deanry and Chapter, out of the Revenues of the said Bishoprick. Therefore the Bishoprick of *Durham* is utterly extinguished and dissolved, and Authority is given for Letters Patents to erect the two new Bishopricks together with a Deanry and Chapter at *Newcastle*; with a Proviso that the Rights of the Deanry, Chapter, and Cathedral of *Durham*, should suffer nothing by this Act.

The Bishoprick
of *Durham* sup-
press'd.

Bishop *Burnet* has taken some Pains to prove, that the Dissolution of this Bishoprick was not so sacrilegious a Thing as some Writers have represented it. He argues: That the Lands of that Bishoprick lying near the Borders of an Enemy, where the Service of the Tenants, in War, must set the Rents at very low Rates, the Reserve of 3000 Marks a Year, and the endowing the Cathedral, which could not be done under a thousand more, was not such a Depredation on the Bishoprick as has been imagined. However, it did not take Effect; for tho' *Ridley*, being a Native of that

King Edward VI. that Country, was named to be one of the Bishops; and *Northumberland* had the Bishoprick given him, which was turned into a Principality for that Purpose; yet the King's Sickness and Death soon after made this and all the rest of such Designs prove abortive. But, it is plain, by what had been designed against *Tunstal*, the deprived Bishop of *Durham*, in the last Parliament, and now a Prisoner, that this *County Palatine* was the Bait which drew the Duke of *Northumberland* to seek the Destruction of that Prelate and the Dissolution of the Bishoprick. Whoever knows the Power and Interest which the *Percy* Family had in those Parts, must also understand that the Acquisition of this rich Bishoprick, with its Jurisdiction, must render this Duke of *Northumberland*, tho' under another Name, little less than a Northern King (i).

In the *Journals* are put down the Titles of seventeen Acts which passed this Session; in the printed Statutes are only fourteen: The most remarkable in both, which have not already been mentioned, were,

Acts pass'd.

An Act for the Restitution in Blood of Sir *Edward Seymour*, *Knt.* (k) Son to the late Duke of *Somerset*.

An Act to avoid the great Prices and Excess of Wines, by which it was enacted, That no Person whatever should keep in his House above ten Gallons of *French Wine*, for spending, under Pain of forfeiting Ten Pounds Sterling; unless he could spend an Hundred Marks yearly, in Lands, Tenements, or other Profits certain: Or was worth a Thousand Marks of his own: Or else was the Son of a Duke,

(i) This Duke of *Northumberland* was *John Dudley*, Earl of *Warwick*, created Duke, &c. by this King, and expected to have all the Revenues of the *Percy* Family given him, the Earldom of *Northumberland* being then extinct by the Attainder of the last Earl.

Dugdale's Baron. Vol. II. P. 219.

He was also to be made Earl of *Durham*.

Styves's Mem. Vol. II. P. 396.

(k) This Sir *Edward Seymour* (from whom the present Duke of *Somerset* is descended) was the Lord Protector's Son by his first Wife, *Catherine*, Daughter of Sir *William Fillol*.—And by his second Wife, *Anne*, Daughter of Sir *Edward Stanhope*, he had another Son, also call'd *Edward* (Ancestor of *Algernon*, late Duke of *Somerset*) on whom all his Titles and most of his Lands were settled by special Entail, who was, in the first Year of Queen *Elizabeth*, created Earl of *Hereford*.

Duke, Marquis, Earl, or Baron. The Duke of King Edward VI. *Suffolk*, the Earls of *Arundele*, *Westmoreland*, *Oxford*, and *Rutland*, the Bishop of *St. David's*, and the Lord *Darcy* of *Chichester* protested against it (1).

An Act for the dissolving, uniting, or annexing of certain Courts, particularly the Court of *Augmentations*, by the King that is dead.

Another, That all Patentees of Collectorships of *Tenhs* shall be bound for their Collections.

And an Act for the King's most gracious, general and free Pardon. Concerning which *Burnet* makes this Remark. ' That whereas it goes for a Maxim That all Acts of Pardon must be passed, without changing any Thing in them, the Commons, when they sent up this Act of Pardon to the Lords, desired that some Words might be amended in it. But he adds, that it is not clear what was done; for that same Day this Request was made, the Acts were passed and the Parliament dissolved.

Mr. *Strype* hath given us the Names of all the Persons excepted out of this Act of Grace, by which we may see that it did not altogether agree with its Title (m).

The main Point which the Duke of *Northumberland* carried in this Parliament, was to cause the Nation to make a public Declaration of their Dislike to the late Duke of *Somerset's* Ministry. Which, as our Author observes, was the more necessary, because the King had let fall some Words concerning his Death, by which he seemed to reflect on it with some Concern, and looked on it as done by *Northumberland*. But then this Act passed with so much Difficulty, that either the Duke thought this Parliament not well enough disposed for him, or else he resolved to vary wholly from the Measures of *Somerset*, who continued the same Parliament a long Time: So, for one or both these Causes, the King came to the House, and gave the Lord Chancellor Command to dissolve this Parliament, after it had sat only one Month; that is from the first to the last Day of *March* (n).

The Parliament dissolved.

(1) *Journ. Procer.*

(m) *Strype's Memorials*, Vol. II. p. 396.

(n) Being then *Good-Friday*.

King Edward VI.

The Death of
the King.

Thus ended the last Parliament in this Reign; for *Edward* the Sixth soon after finish'd both that and his short Life; dying of a deep Consumption, *July* the 6th, *Anno* 1553, in the sixteenth Year of his Age, and the seventh of his Reign.

Mr. *Styke* frequently takes Occasion to animadvert on the Sacrilegious Hunger of the Courtiers in this Reign; which, he tells us, was insatiable. He hath also given us a Catalogue of Public Grammar Schools, and other Endowments out of the dissolv'd Chauntries. From whence it may be presum'd, that the Charitable Foundations in this Reign were owing to the innate Piety of this most excellent young Prince himself; and that the Havock made among the Ecclesiastical Revenues during his Minority, ought much rather to be attributed to his Evil Counsellors than to any habitual Inclination of his own.

It will not, we hope, be judg'd improper, at the Conclusion of this Reign, to give an Account of a Transaction, which happened very near the Beginning of it: Since, to have mentioned it then, would have broke too much the Thread of our History. The Matter is about the *Right which the inferior Clergy have, by their Representatives, to sit and vote in all Questions in the House of Commons.* The Reasons for it are learnedly drawn up by Bishop *Burnet* and Mr. *Collier*; we shall therefore give them in their own Words at full; observing that their Arguments turn on many Proceedings which have fallen in the Course of this *Parliamentary History*. — And first, the Prelate:

‘ While the Parliament was sitting, [The first Session of the first Parliament in this Reign] they were not idle in the Convocation; though the Popish Party was yet so prevalent in both Houses, that *Cranmer* had no Hopes of doing any Thing, till they were freed of the Trouble which some of the great Bishops gave them. The most important Thing they did, was the carrying up four Petitions to the Bishops, which will be found in the *Collection*, No 16. 1. That according to the Statute made in the Reign of the late King, there might

might be Persons empower'd for reforming the Ecclesiastical Laws. The second, that according to the ancient Custom of the Nation, and the Tenor of the Bishops Writ to the Parliament, the Inferior Clergy might be admitted again to sit in the House of Commons, or that no Acts concerning Matters of Religion might pass without the Sight and Assent of the Clergy. The third, That since divers Prelates and other Divines, had been in the late King's Time appointed to alter the Service of the Church; and had made some Progress in it, that this might be brought to its full Perfection. The fourth, That some Consideration might be had for the Maintenance of the Clergy, the first Year they came into their Livings, in which they were charged with the First Fruits; to which they added, a Desire to know whether they might safely speak their Minds about Religion, without the Danger of any Law. For the first of these four Petitions, an Account of it shall be given hereafter. As to the second, it was a Thing of great Consequence, and deserves to be farther consider'd in this Place.

‘Anciently, all the Free Men of *England*, or at least those that held of the Crown in Chief, came to Parliament; and then the Inferior Clergy had Writs as well as the Superior, and the first of the three Estates of the Kingdom were the Bishops, the other Prelates and the inferior Clergy. But when the Parliament was divided into two Houses, then the Clergy made likewise a Body of their own, and sat in Convocation, which was the third Estate. But the Bishops having a double Capacity, the one of Ecclesiastical Prelature, the other of being the King's Barons, they had a Right to sit with the Lords as a Part of their Estate, as well as in the Convocation. And though by Parity of Reason it might seem that the rest of the Clergy, being Freeholders as well as Clerks, had an equal Right to chuse, or be chosen, into the House of Commons; yet whether they were ever in Possession of it, or whether according to the Clause *Premonentes* in the Bishops Writ, they were ever a Part of the House

King Edward VI.

Bp. Burnet's
Remarks on the
Claim of the In-
ferior Clergy, to
have Representa-
tives in the
House of Com-
mons.

King Edward VI. of Commons, is a just Doubt. For besides this Assertion in the Petition that was mentioned, and a more large one in the second Petition, which they presented to the same Purpose, which is likewise in the *Collection*, No. 17. I have never met with any good Reason to satisfy me in it. There was a general Tradition in Queen *Elizabeth's* Reign, that the Inferior Clergy departed from their Right of being in the House of Commons, when they were all brought into the *Præmunire* by Cardinal *Wolsey's* Legatine Power, and made their Submission to the King. But that is not credible; for as there is no Footstep of it, which in a Time of so much Writing and Printing must have remained, if so great a Change had been then made; so it cannot be thought, that those who made this Address but seventeen Years after that Submission, (many being alive in this, who were of that Convocation, *Polydore Vergil* in particular, a curious Observer, since he was maintain'd here to write the History of *England*) none of them should have remembred a Thing that was so fresh, but have appealed to Writs and ancient Practices. But though this Design of bringing the Inferior Clergy into the House of Commons did not take at this Time, yet it was again set on Foot, in the End of Queen *Elizabeth's* Reign, and Reasons were offered to persuade her to set it forward. Which not being then successful, these same Reasons were again offered to King *James*, to induce him to endeavour it. The Paper that discovers this, was communicated to me by Dr *Borlase*, the worthy Author of the History of the *Irish* Rebellion. It is corrected in many Places by the Hand of Bishop *Ravis*, then Bishop of *London*, a Man of great Worth. This, for the Affinity of the Matter, and the Curiosity of the Thing, I have put into the *Collection*, No. 18. with a large Marginal Note, as it was designed to be transcribed for King *James*. But whether this Matter was ever much considered, or lightly laid aside as a Thing unfit and unpracticable, does not appear; certain it is, that it came to nothing. Upon the whole
Matter,

Matter, it is not certain what was the Power or King Edward VI.

Right of these Proctors of the Clergy in former Times : Some are of Opinion, that they were only Assistants to the Bishops, but had no Voice in either House of Parliament (*n*). This is much confirmed by an Act pass'd in the Parliament of *Ireland*, in the 28th Year of the former Reign, which sets forth in the Preamble, ' That though the Proctors of the Clergy were always summoned to Parliament, yet they were no Part of it; nor had they any Right to vote in it, but were only Assistants in case Matters of Controversy or Learning came before them, as the Convocation was in *England*, which had been determined by the Judges of *England* after much Enquiry made about it. But the Proctors were then pretending to so high an Authority, that nothing could pass without their Consents; and it was presumed they were set on to it by the Bishops, whose Chaplains they were for the most part. Therefore they were by that Act declared to have no Right to vote.

' From this some infer, they were no other in *England*, and that they were only the Bishops Assistants and Council. But as the Clause *Premontes* in the Writ, seems to make them a Part of the Parliament; so these Petitions suppose that they sat in the House of Commons anciently; where it cannot be imagined they could sit, if they came only to be Assistants to the Bishops, for then they must have sat in the House of Lords rather; as the Judges, the Masters of Chancery, and the King's Council do. Nor is it reasonable to think they had no Voice; for then their sitting in Parliament had been so insignificant a Thing, that it is not likely they would have used such Endeavours to be restor'd to it; since their coming to Parliament, upon such an Account, must have been only a Charge to them.

' There is against this Opinion an Objection of great Force, from the Acts pass'd in the 21st Year of *Richard* the 2d's Reign. In the 2d Act of that Parliament it is said, ' That it was first prayed by

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' the

(*n*) *Coke's 4 Inst.* 3, 4.

King Edward VI. ‘ the Commons, and that the Lords Spiritual, and
 ‘ the Proctors of the Clergy, did assent to it ; upon
 ‘ which the King, by the Assent of all the Lords
 ‘ and Commons, did enact it.’ The 12th Act of
 that Parliament was a Repeal of the whole Parlia-
 ment that was held in the 11th Year of that Reign ;
 and concerning it, it is express’d, ‘ That the Lords
 ‘ Spiritual and Temporal, the Proctors of the Cler-
 ‘ gy, and the Commons, being severally examin’d,
 ‘ did all agree to it.’ From hence it appears, that
 these Proctors were then not only a Part of the Par-
 liament, but were a distinct Body of Men, that did
 severally from all the rest deliver their Opinions.
 It may seem strange, that if they were then con-
 sidered as a Part of either House of Parliament, this
 should be the only Time in which they should be
 mentioned as bearing their Share in the Legislative
 Power. In a Matter that is so perplexed and dark,
 I shall presume to offer a Conjecture which will not
 appear perhaps improbable. In the 129th Page of
 my former Part, I gave the Reasons that made me
 think the Lower House of Convocation consisted at
 first only of the Proctors of the Clergy. So that
 by the Proctors of the Clergy, both in the Statute
 of *Ireland*, and in those made by *Richard* the 2d,
 is perhaps to be understood, the lower House of
 Convocation ; and it is not unreasonable to think,
 that upon so great an Occasion as the annulling a
 whole Parliament, to make it pass the better, in an
 Age in which the People paid so blind a Submission
 to the Clergy, the Concurrence of the whole Re-
 presentative of the Church might have been thought
 necessary. It is generally believed, that the whole
 Parliament sat together in one House before *Ed-
 ward* the 3d’s Time, and then the Inferior Clergy
 were a Part of that Body without Question. But
 when the Lords and Commons sat apart, the
 Clergy likewise sat in two Houses, and granted Sub-
 sidies as well as the Temporality. It may pass for
 no unlikely Conjecture, that the Clause *Premonen-
 tes* was first put in the Bishops Writ for the sum-
 moning of the lower House of Convocation, con-
 sisting

sitting of these Proctors; and afterwards, though there was a special Writ for the Convocation, yet this might at first have been continued, in the Bishops Writ by the Neglect of a Clerk, and from thence be still used. So that it seems to me most probable, that the Proctors of the Clergy were both in *England* and *Ireland* the Lower House of Convocation. Now, before the Submission which the Clergy made to King *Henry*, as the Convocation gave the King great Subsidies, so the whole Business of Religion lay within their Sphere. But after the Submission they were cut off from meddling with it, except as they were authorised by the King. So that having now so little Power left them, it is no Wonder they desired to be put in the State they had been in before the Convocation was separated from the Parliament; or at least that Matters of Religion should not be determined till they had been consulted, and had reported their Opinions and Reasons. The Extreme of raising the Ecclesiastical Power too high in the Times of Popery, had now produced another of depressing it too much. For seldom is the Counterpoise so justly balanced, that Extremes are reduced to a well-temper'd Mediocrity.

‘ For the third Petition, it was resolv’d that many Bishops and Divines should be sent to *Wind-
sor* to labour in the Matter of the Church Service. But that required so much Consideration, that they could not enter on it during a Session of Parliament. And for the fourth, what Answer was given to it doth not appear.’ So far Bishop *Burnet*.

The Rev. Mr *Collier*, after giving us the Nature of the Petitions, in near the same Words as the Bishop, goes on thus: Na-Mr. Collier, on
the same Subject.

‘ That the lower House of Convocation in their Request, for sitting with the Commons in Parliament, insisted upon nothing more than being restor’d to ancient Privilege, appears by the King’s Writ, directed to every Bishop: In which Summons the Bishop is first requir’d to appear in Person, at the Time and Place prefix’d for the Parliament.

King Edward VI. This Part of the Writ is the same in Substance with those sent to the Temporal Peers. After this follows the *Premonitory* Clause, in which the Bishop is commanded, 'To give Notice to the (Prior, or, or) Dean and Chapter of his Cathedral Church, and to the Archdeacons, and all the Clergy of his Diocese, that the (Prior) Dean, and Archdeacons in their own Persons, the Chapter by one, and the Clergy by two proper Proxies, sufficiently empower'd by the said Chapter and Clergy, should by all Means be present at the Parliament with him; to do and consent to those Things, which, by the Blessing of God, by their common Advice, shall happen to be ordain'd in the Matters aforesaid: And that the giving this Notice should by no means be omitted by him (o).'

'If the Bishop happen to be beyond Sea, and in no Condition to execute the King's Writ, the Summons was sent to his Vicar-General; and by him the Clergy of the Diocese had the same Notice to come to Parliament, as if the Bishop had been at Home.

'In the Vacancy of a See, the Writ was directed to the Dean and Chapter, as Guardians of the Spiritualities. And thus the Clergy were always assur'd of being summon'd to Parliament.

'The Bishop having receiv'd the King's Writ, communicated it to his Diocese, by transmitting Copies to the Prior, or Dean, and Archdeacons: To this there was a Mandate annex'd, importing, 'That by Virtue of his Majesty's Writ he premonish'd them, and by them the Chapter and Clergy, that themselves in Person, and their Chapter and Clergy by their Proctors, should take Care to be present at the Day and Place mention'd in the King's Writ, for the Ends and Purposes requir'd of them.

'The Bishops us'd sometimes to command their Clergy, to make a Return of what they had done upon the Writ and Mandate. This Certificate was to be sent to the Bishop some Time before the Session of Parliament. The Clergy having promis'd

Obedience,

Obedience, in their Return, to the Dioceſan, the^{King Edward VI.} Biſhop certifi'd the King what he had done purſuant to his Command : And of this we have an Inſtance as low as the Reign of King *Henry* the Eighth.

‘ The Clergy thus ſummon’d to Parliament by the King and Dioceſan, met for the Choice of their Proxies. For this Purpoſe, the Dean, or Prior, held his Chapter, and the Archdeacon his Synod : The Representatives being choſen in theſe Aſſemblies, were ſent up to the Parliament, with Procuratorial Letters from the Chapter and Clergy, to give them an Authority to act in their Names, and on the Behalf of their Electors.

‘ Theſe Letters were for the moſt part addreſs’d to the King, tho’ ſometimes they began with a general Application, To all Perſons whom it might concern : But ſtill the Subſtance of them was to make, ordain, and appoint the Perſons, who were ſent by them, ‘ Their Proctors to appear on their Behalf in Parliament ; there to treat with the ‘ Prelates and great Men of the Realm, of the ‘ Things to be debated there for the Intereſt of the ‘ King and Kingdom, and to conſent to what ‘ ſhould be agreed to on their Behalf ; and to engage themſelves to ſtand by what their Proctors ‘ ſhould do, under the Caution or Forfeiture (many Times) of all their Goods.

‘ There were uſually two Copies of theſe Procuratorial Letters deliver’d to every Proxy ; one of theſe was to be kept by this Representative, and the other put into the Hands of the Clerk of Parliament in order to be inroll’d.

‘ That the Lower Clergy formerly ſent their Representatives to Parliament, may be prov’d by a famous Reſolution in *Bird* and *Smith’s* Caſe, in the Reign of King *James* the Firſt. Here the Lord Chancellor *Egerton*, *Popham* Chief Juſtice of *England*, *Coke* Chief Juſtice of the Common Pleas, and *Fleming* Chief Baron, beſides other Things, reſolv’d that the Canons of the Church, made by the Convocation and the King, without a Parliament, ſhall

King Edward VI. shall bind in all Ecclesiastical Matters no less than an Act of Parliament. As a Medium to prove this, they affirm the Convocation was once Part of the Parliament. And since the lower Clergy were parted from the House of Commons, they carried their Share of Legislature along with them into the Convocation. They founded their Resolution farther, upon a celebrated Precedent of both Houses of Parliament, *Anno 21 Henry VIII.* Where, after a full Debate in a Conference, it was resolv'd, that when the Convocation makes Canons concerning Matters within their Jurisdiction, they are binding to the whole Realm.

' To proceed. Records of the Procuratorial Letters above-mention'd, run up as high as King *Edward* the First. Through how many Reigns afterwards, the Representatives of the Lower Clergy acted with the Temporal Commons in Parliament, is not easy to determine. 'Tis probably conjectur'd, that about the Time of King *Henry* the Sixth, this Usage began to be discontinued, and quite dropp'd by Degrees. The Clergy themselves are thought to have contributed towards the parting with this Privilege. It seems they look'd on their Parliamentary Attendance, as a Kind of Burthen, and therefore were not unwilling to be disengag'd.

' But whether they were in the Right, or not, is another Question.

' Tho' the Lower Clergy seem not to have come to Parliament for more than two hundred Years last past, the Kings, notwithstanding, have still continued to keep on their Right in the Writ of Summons, which has been executed by the Bishops. The *Premunitory* Clause is still the same it was three hundred Years since, except the Alteration of Priors into Deans. There are several Records to prove, that the Bishops Mandates were sent to the Deans and Archdeacons; that Proctors were chosen, and empower'd to act for their Electors, to the End of the Reign of King *Henry* the Seventh. There are likewise Instances to prove that the same Practice was kept on from the Period last mention'd,

mentioned, to the Year 1640. This *Præmonitory* King Edward VI. Clause being still inserted in the Bishops Writ of Summons, 'tis concluded they may legally execute it, pursuant to ancient Custom, if they think fit.

'To proceed to another Branch of the Petition of the lower House of Convocation. That is, that Matters of Religion may be debated in their House; that by this Means the Case may be fully discuss'd, the Controversy clear'd, and the Consciences of People well settled. They likewise desire, as hath been observ'd, that no Statutes, in which Religion, or the Interest and Jurisdiction of the Clergy, are nearly concern'd, may be enacted, till the lower House of Convocation have at least examin'd the Bill, and reported their Reasons upon it. To prove the lower Clergy not ill founded in this Request, I shall insert a Paper in the Records, drawn up by a very learned Hand, and lodg'd in the Paper Office, from whence I transcrib'd it (*p*). The Design of it is to prove, that Matters relating to the Doctrine and Government of the Church, ought to be determined by Ecclesiasticks: And here the Reader will find the Imperial Constitutions, the Parliament Rolls, and other valuable Authorities cited to this Purpose.'

Thus much for the Sentiments of Bishop *Burnet* and Mr. *Collier*, concerning this pretended Right of the Inferior Clergy to sit and vote in Parliament.— Archbishop *Wake* (*q*) has treated this Matter more fully; but to give the whole Quotation would exceed the Limits of this Volume: We, therefore, refer the Reader to the Dissertation at large, and particularly the two first Chapters.

(*p*) This Paper is printed in *Collier's Appendix of Records* to his second Volume, p. 61.

(*q*) Archbishop *Wake's* State of the Church, Folio, 1703.

Queen MARY.

Queen Mary.

THE last King, *Edward*, dying in a State of Non-Age, after he had been a long Time in a great Inability of Body, was prevailed upon, by the Artifices and unbounded Ambition of the Duke of *Northumberland*, to settle the Crown by Will, on the Lady *Jane Grey*, eldest Daughter to *Charles Brandon*, Duke of *Suffolk*, by *Mary* Queen Dowager of *France*, and Sister to *Henry* the eighth. And to get the Reins of Government nearer his own Hand, the Duke had her married to the Lord *Gilford Dudley*, his fourth Son; the three first being already in that State.

This was the boldest Step that ever was taken by a Subject; not only to set aside King *Henry's* Will, but also a solemn Act of Parliament, which had settled the Crown, in Failure of Issue by King *Edward*, on the Princesses *Mary* and *Elizabeth*, in Succession; the now only remaining Children of King *Henry*. But grasping at too much Power, this ambitious Man lost all; and, not only had his own Head taken off on a Scaffold, but involved his Son and the unfortunate Lady *Jane* in the same Ruin.

It is not in the Scope of this History to descant any more on a Subject, so well known to every common Reader of our *English* Annals. Sufficient it is to say, that *Mary*, after a short Struggle against her, was recognized Queen of *England*, and crowned as such, at *Westminster*, on the first Day of *October*, in the Year 1553.

It is now we enter upon the Transactions of a Reign, so variously described, so praised or censured by Authors of different Persuasions in Religion, that it is difficult to come at Truth, undisguised with Flattery or Invectives. The *Papish* Writers of the *Reformation*, or, as they term it, the *English Schism*,
are

are but few in Number, in Comparifon of their Antagonifts ; amongst whom *Nicholas Sanders* is the boldeft Champion for that Caufe. *John Foxe* appears at the Head of the *Reformers*. To ft ear fafely, between this *Scylla* and *Charybdis*, is an arduous Task ; but, to avoid all Imputation of Partiality, we fhall confine ourfelves, as much as poffible, from any Reflections of our own, unlefs where the Subject Matter requires fuch Explanation.

As the Acts in the Parliaments of this Reign are dire<ly repugnant to thofe paffed in the laft, and great Part of the preceeding one, Authors have not fluck to fay that the Members of them were got together by undue Influence on the Electors, falfe Returns, and illegal difcharging of fome of the Members. Bifhop *Burnet* has laid this heavy Charge on Queen *Mary's* Miniftry, from the Teftimony of one *Beal*, Clerk of the Clofet in Queen *Elizabeth's* Time ; and Mr. *Rapin*, our more modern *Proteftant* Writer, has greatly enlarged upon it. As the Charge is very extraordinary, this laft Author's own Words are the fitteft to be made ufe of on this Occafion (g).

The Court had refolved to abrogate all the Laws made in favour of the Reformation, and to reftore the antient Religion. This was not to be done without the Concurrence of the Parliament. But if Elections had been left free, it would have been difficult, not to fay impoffible, for the Queen to fucceed in her Design. The Number of the Reformed was without Comparifon greater than that of the Roman-Catholicks, and confequently the Elections would not probably be favourable to her. But befides the ordinary Ways made ufe of by Kings to have Parliaments at their Devotion, all Sorts of Artifices, Frauds, and even Violences, were pra<tiſed in this. As Care was taken beforehand to change the Magiftrates in the Cities and Counties, and there was not one almoft but was a Roman-Catholick, or had promifed to be fo, every Thing tending to the Election of Catholick Representatives was countenanced. On the contrary, thofe who were fufpect-
ed

Rapin's Character of her firft Parliament.

Queen Mary.

ed of an Inclination to chuse Protestants, were discouraged by Menaces, Actions, Imprisonments, on the most frivolous Pretences. In several Places, Things were carried with such Violence, that Protestants were not allowed to assist in the Assemblies where the Elections were to be made. In short, in Places where it was not possible to use these direct Means, by reason of the Superiority of the Reformed, the Sheriffs, devoted to the Court, made false Returns: That is, they sent to Court the Names of some Persons as if lawfully elected, though they had but an inconsiderable Number of Votes, or perhaps none at all. As the Disputes arising from such Elections can only be decided by the House of Commons, it is easy to imagine, that a House composed of such Representatives failed not to approve all Elections favourable to the Court, and reject all others if the least contestable. This is one of the greatest Abuses belonging to Parliaments, and which is but too frequent whenever the Kingdom is rent into Factions. By these Methods, the Court secured a House of Commons ready to comply with their Suggestions, and whose Members had an Interest in the Change of Religion, or were indifferent to all religious Establishments.

‘As to the Upper House, which cannot be thus modelled to the Liking of the Court, the Queen probably laboured so successfully to engage it in her Interests, that she found no Opposition from the Peers. It is very strange, that the Lords, who but a few Months before were all Protestants, and had in their whole Body but seven or eight who usually opposed the Laws made in *Edward's* Reign in favour of the Reformation, were become almost all zealous Catholics in *Queen Mary's*. I pretend not to decide in which Reign they dissimulated their Sentiments; but it is too clear that in the one or the other they were guilty of a base and scandalous Prevarication. Mean while, to make this House still more complying, the Court took Care beforehand to make Changes amongst the Bishops in favour of their Designs. Besides both the Archbishops and the Bishops

shops of *Gloceſter* and *Exeter*, in actual Imprison-^{Queen Mary.} ment, fix others had been changed, as has been obſerved. Probably all the reſt, excepting two, were for preferring their Sees to their Religion. The two I except, were *Taylor* Biſhop of *Lincoln*, and *Harley* of *Hereford*, who were even thruſt out of the Houſe the firſt Day, for reſuſing to kneel at the Maſs. Such was *Queen Mary's* firſt Parliament, compoſed of a Houſe of Commons, filled with the Creatures of the Court ; and of a Houſe of Lords, who, through Fear, Avarice or Ambition, diſſembled their Sentiments, or, a few excepted, thought all Religions alike. It is eaſy to foreſee what is to be expected from ſuch a Parliament.

On the other Side, it is to be obſerved, that our Author has amply enlarged Biſhop *Burnet's* Cen-^{Remarks thereon.} ſures, on his own ſingle Authority, for except the Affair of the Biſhops, which he has from *Foxe*, no other Writer is quoted for all the reſt. An Hiſtorian, of another Diſpoſition, acquaints us that this *Beal*, from whom Biſhop *Burnet* draws all his Information, was not only a bigotted *Nonconformiſt*, but, what is much worſe, a Man of a furious tempeſtuous Spirit. That he miſbehaved himſelf to a ſcandalous Degree, and failed both in Temper and Honeſty. Some Inſtances of which this Author hath given in the Courſe of his Hiſtory (q). So that all this black Imputation ſtands upon the Credit of *Beal's* ſingle Teſtimony ; ſince no other Author, of that Age, or near it, ſays any Thing of the Matter. And, upon the whole, it is not at all probable, that the Government would venture upon ſtraining the Conſtitution, before they themſelves were ſettled ; and begin ſo early with ſuch Acts of Violence.

One Thing, indeed, our Right Reverend Author had much better Authority for inſerting, as a Prelude to the firſt Parliament of this Reign. Writs had been ſent out, dated at *Weſtmiſter*, *Auguſt* 14th, for one to meet, at the ſame Place, on the

Queen Mary.

the 5th of *October* following. In the mean Time, it was thought necessary the Queen should be crowned, which was done on the first of that Month, as is before related. And, in order to soften the Minds of her Subjects, and dispose them to a good Opinion of her Government, the Queen, by the Advice of *Gardiner*, Bishop of *Winchester*, as is said (r), not only put out a general Pardon, but published a Proclamation to this Effect (s);

A general Pardon;

‘ That whereas the good Subjects of *England* had always exhibited Aid to their Princes, when the Good of the Publick and Honour of the Realm required it; and the Queen, since her coming to the Crown, found the Treasury was marvelously exhausted, by the evil Government of late Years, especially since the Duke of *Northumberland* (t) bore Rule; though she found herself charged with divers great Sums of her Brother’s Debts, which for her own Honour, and the Honour of the Realm, she determined to pay in Times convenient and reasonable; yet, having a special Regard to the Welfare of her Subjects, and accounting their loving Hearts and Prosperity the chiefest Treasure which she desired, next to the Favour and Grace of God; therefore, since in her Brother’s last Parliament, two *Tenths*, two *Fifteenths* and a Subsidy, both out of Lands and Goods, were given to him for paying his Debts, which were now due to her; she, of her great Clemency, did fully pardon and discharge these Subsidies; trusting that her said good Subjects will have loving Consideration thereof for their Parts, whom she heartily requires to bend themselves wholly to God, to serve him sincerely, and with continual Prayer, for the Honour and Advancement of the Queen and the Commonwealth.’

And a Discharge of the last Subsidy.

This Relaxation of Taxes, according to Bishop *Burnet*, was a Large of an extraordinary Nature, pre-

(r) *Burnet*, Vol. II. Pag. 253.

(s) This Proclamation is printed at large in *Rymer*, Tom. XV. p. 335.

(t) He is called, in the Proclamation, that most arrant *Traitour*: An *Arrand*, is still a northern Word for a Spider; no doubt from the Latin, *Arania*; so the Epithet here is *poisonous*. An arrant Knave is common in *Yorkshire*.

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prepared by *Gardiner*, against the Meeting of the *Queen Mary*. Parliament. And, at the Time appointed, viz. *October 5th (u)*, the two Houses met at *Westminster*, when the State of the Peerage, in the Writs of Summons, was as follows;

The QUEEN, &c. to *William Marquess of Winchester*, Lord Great Treasurer of England.

The Parliament
meet at West-
minster.
Anno Regni 1.
1553.

<i>Thomas</i> Ld. <i>Fitzwater.</i>	<i>Thomas</i> Ld. <i>Sandys.</i>
<i>Thomas</i> Duke of <i>Norfolk.</i>	<i>John</i> Ld. <i>Moraunt.</i>
<i>Henry</i> Earl of <i>Arundele.</i>	<i>Robert</i> Ld. <i>Ogle.</i>
<i>John</i> E. of <i>Bedford.</i>	<i>William</i> Ld. <i>Burgh.</i>
<i>Edward</i> E. of <i>Derby.</i>	<i>John</i> Ld. <i>Bray.</i>
<i>Henry</i> E. of <i>Suffex.</i>	<i>Thomas</i> Ld. <i>Vaux</i> of
<i>Francis</i> E. of <i>Shrewsbury.</i>	<i>Harradon.</i>
<i>Henry</i> E. of <i>Rutland.</i>	<i>William</i> Ld. <i>Wyndesore.</i>
<i>Francis</i> E. of <i>Huntingdon.</i>	<i>William</i> Ld. <i>Grey</i> of <i>Wil-</i>
<i>John</i> E. of <i>Oxford.</i>	<i>ton.</i>
<i>William</i> E. of <i>Worcester.</i>	<i>Charles</i> Ld. <i>Stourton.</i>
<i>Henry</i> E. of <i>Cumberland.</i>	<i>William</i> Ld. <i>Dacres</i> of
<i>Henry</i> E. of <i>Westmoreland.</i>	<i>Giltesland.</i>
<i>John</i> E. of <i>Bath.</i>	<i>Thomas</i> <i>Stanley</i> Ld. <i>Mont-</i>
<i>William</i> E. of <i>Pembroke.</i>	<i>egle.</i>
<i>Edward</i> E. of <i>Devon.</i>	<i>John</i> <i>Touchet</i> Ld. <i>Audley.</i>
<i>Walter</i> Viscount <i>Hereford.</i>	<i>Edward</i> <i>Fenys</i> Ld. <i>Clynton,</i>
<i>Thomas</i> <i>West</i> Lord <i>De la War.</i>	Lord High Admiral of
<i>George</i> <i>Brook</i> Ld. <i>Cobham.</i>	<i>England.</i>
<i>John</i> <i>Nevile</i> Ld. <i>Latimer.</i>	<i>Thomas</i> Ld. <i>Darcey</i> of
<i>George</i> <i>Zouche,</i> Ld. <i>Zouche.</i>	<i>Chiche.</i>
<i>Henry</i> <i>Parker</i> Ld. <i>Morley.</i>	<i>William</i> Ld. <i>Paget</i> of
<i>Richard</i> <i>Rich</i> Ld. <i>Rich.</i>	<i>Beaufesert.</i>
<i>William</i> Ld. <i>Willoughby.</i>	<i>Thomas</i> Ld. <i>Wentworth.</i>
<i>George</i> Ld. <i>Evers.</i>	<i>John</i> Ld. <i>Conyers.</i>
<i>George</i> Ld. <i>Darcey.</i>	<i>Henry</i> Ld. <i>Stafford.</i>
<i>Thomas</i> Ld. <i>Wharton.</i>	<i>John</i> Ld. <i>Lumley</i> of <i>Lumley.</i>
<i>Henry</i> Ld. <i>Bergavenny.</i>	<i>George</i> Ld. <i>Talbot.</i>

The Parliament began with much Formality ; a solemn Mass of the Holy Ghost being sung in *Westminster* Church, according to the ancient Custom. The Queen rode thither in her Parliament-Robes, all

(u) *Grafton's Chronicle*, and *Dugdale's Summons*, with the *Lords Journals*, make it the 5th of *October* ; Dr. *Heylin* and *Bishop Burnet* from *Fox*, the 10th.

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all the Bishops and Lords in their Scarlet Robes attending, Trumpets blowing before them. When she heard Mass, two Bishops waited on her, one whereof delivered her the Chapter and other Things. Afterwards they all went to the Parliament-House, the Earl of *Devonshire* bearing the Sword, and the Earl of *Westmoreland* the Cap of Maintenance before the Queen (u).

John Pollard, Esq;
Speaker.

The *Journals* of the House of Lords in this Parliament being lost, there is no Light to be had from thence of their Proceedings (x); but, from the imperfect *Journal* of the House of Commons, somewhat may be gathered to our Purpose. It is to be observed that the Queen did not alter the Style that her Father and Brother *Edward* had taken, in the Writs for calling this Parliament; but the SUPREMUM CAPUT ECCLESIAE ANG. was in them as usual. The aforesaid *Journal* acquaints us, that *John Pollard*, Esq; was elected Speaker, and that on the second Day of the Session, one Member moved for a Review of the Laws made by the late King *Edward*; which after being argued a While, was for that Time laid aside, and

(u) *Strype's Ecclesiastical Memorials*, under *Mary*, Vol. III. p. 33.

(x) The Book of *Journals* of the House of Lords, in this Reign, hath only this Beginning;

“ The first Parliament Roll of Queen *Mary*, remaining in the Chapel of the Rolls, in Chancery-Lane, beginneth in these Words, viz.

“ In Parlamento incognito et tento apud Westmonasterium quinto Die Octobris, Anno Regni serenissimæ et excellentissimæ Domine nostræ Mariæ Dei Gratia Angliæ, Franciæ et Hiberniæ Regine, Fidei Defensoris, et in Terris Ecclesiæ Anglicanæ et Hiberniæ Supremi Capitis, primo; et ibidem continuato usque in vicecesimum primum Diem ejusdem Mensis tunc proxime sequentis, communi omnium Procerum et Populi Consensu, et Regiæ Majestatis tum præsentis Assensu, stabilita, inacta et inordinata sunt hæc subsequenti Statuta, viz.

“ Then follow the Titles of the three Acts, passed at this Session. The *Journals* of the Commons, for this Parliament, begin thus; The Parliament of the most virtuous and mighty Princeſs *MARY*, by the Grace of God Queen of *England, France and Ireland, &c.* before the Queen in her Royal Seat in the Parliament-Chamber; where the Bishop of *Winchester*, Lord Chancellor, after certain causes shewed, by an eloquent Oration, for the calling of the Parliament, declared the Queen's Pleasure to be, that the Commons, at their accustomed Place should chuse a Speaker.”

and the Bill for Tonnage and Poundage put in instead of it. After this a Debate arose upon the Case of one Dr. *Nowel*, who being returned a Member for *Los* in *Cornwal*, and being also a Prebendary of *Westminster*, whether he could sit in that House? A Committee being appointed to search for Precedents in this Case, it was reported that the Doctor, being represented in the House of Convocation, could not be a Member of that House; and upon this he was expelled. The Bill for Tonnage and Poundage was sent up to the Lords, who returned it to the Commons, to be reformed in two Provisos that were not according to former Precedents. How far, says Bishop *Burnet*, this was contrary to the Rights of the Commons, who now say the Lords cannot alter a Money Bill, I cannot determine (y).

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But the only public Bill which passed in this short Session, was repealing certain Treasons, Felonies, and Premunires. By which it was ordained that nothing should be judged Treason, but what was within the Statute of Treasons made in the twenty-fifth of King *Edward* the Third; and, that nothing should be judged Felony that was not so before the first Year of King *Henry* the Eighth, excepting from any Benefit of this Act all such as had been in Prison before the last of *September*; who were also excepted out of the Queen's Pardon at her Coronation.

Act for limiting
of Treason and
Felonies.

To make the better Way for this Bill to pass, there were many Members in both Houses who shewed themselves exceeding hot against King *Henry's* Laws, especially such of them as extended their Penalties to Death. Some of these zealous Speakers were of the Queen's Privy Council; and others were Lawyers, who, by this their Forwardness, were made soon after of her learned Council. They inveighed against them as cruel and bloody Laws. They termed them *Draco's* Laws, which were written in Blood. Some said they were more intolerable than any Laws that *Dionysius*, or any other

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Tyrant,

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Tyrant, ever made. 'As many Men, says an Historian (y), so many bitter Names and Invectives were bestowed on these Laws. Inſomuch, that one would have thought this Reign would have been more tender of Men's Lives than any before it.' But the Conſequence will ſhew it much otherwiſe.

The Preamble to this Act declares, 'That the Queen calling to her Remembrance that many honourable and noble Perſons, and others of good Reputation, had lately, for Words only, ſuffer'd ſhameful Deaths, not accuſtomed to Nobles. Therefore, of her Clemency, and truſting her loving Subjects were contented that ſuch dangerous and painful Laws ſhould be abrogated; from henceforth no Act, Deed or Offence, that had been by Act of Parliament made Treason, &c. by Words, Writing, Cyphering, Deeds, or otherwiſe, ſhould be taken, had or deemed to be High Treason, Petty Treason, &c. provided that nothing in this Act ſhould in any wiſe extend to give any Manner of Benefit, Advantage or Commodity, to any Perſon or Perſons, who were, on or before the laſt Day of *September*, arreſted or imprifoned for Treason, or to any Perſon heretofore indicted of Treason, Petty Treason, &c. before the ſaid laſt Day of *September*. All theſe were to ſuffer ſuch Pains of Death, Loſſes, Forfeitures of Lands and Goods, as the Law, in ſuch Caſes of Treason, directed.(z)' By which Act, ſays our Author, all thoſe of King *Edward's* Friends, Lady *Jane's* Wellwiſhers, or *Proteſtant* Profeſſors who had been taken up and crouded into Jails, could receive no Benefit by this wonderful Act of Clemency. Biſhop *Burnet* alſo obſerves; that this Act of Repeal was no more than what had paſſed in the Beginning of the late King's Reign, without the Clog of ſuch a ſevere Proviſo; by which, he adds, many were cut off from the Fa-

your

(y) *Strype's Memor.* Vol. III. P. 39.

(z) *Statutes at large, Anno 1 Maria, Seſſio prima,*

your designed by it, and argues very much like a Queen Mary. Lawyer on that Subject (a).

Two private Bills were also passed in this Session ; the one, for the Restitution, in Blood, of the Lady *Gertrude Courtney*, Widow to *Henry Courtney*, late Marquess of *Exeter* ; who had been attainted in the thirty-second Year of King *Henry's* Reign ; and the other for her Son, Sir *Edward Courtney*, Earl of *Devonshire*. After the Queen had given her Assent to those Bills, the Parliament was prorogued from the 21st to the 24th of *October*, that there might be, says Bishop *Burnet*, one Session of Parliament, in this Reign, consisting only of Acts of Mercy.

When the Parliament met again, after this very short Prorogation, the Bill for Tonnage and Poudage was resumed in the House of Commons, and passed in two Days (b). The next was a Bill about King *Henry's* Marriage with the Queen's Mother, declaring the Queen's Highness, as the Title expresses it, to be born in lawful Wedlock. This Bill was sent down by the Lords, on the 26th, and the Commons passed it, *Nem. Con.* on the 28th ; so strangely, says *Burnet*, was the Stream turned, that a Divorce, which had been for seven Years much desired by the Nation, was now repealed on fewer Days Consultation. The Preamble to which Act has these remarkable Expressions ;

Act declaring the Queen's Legitimacy.

‘ That Truth, how much soever obscured and
‘ born down, will, in the End, break out ; and that
‘ therefore, they declared, that King *Henry* the
‘ Eighth, being lawfully married to Queen *Catharine*, by Consent of both their Parents, and the
‘ Advice of the wisest Men in the Realm, and of
‘ the best and notablest Men for Learning in
‘ *Christendom*, did continue in that State twenty
‘ Years, in which God blessed them with her Majesty and other Issue, and a Course of great Happi-

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‘ piness ;

(a) *Burnet*, Pag. 253.

(b) It was brought in on the 25th of *October*, and passed on the 27th, *Commons Journals*.

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‘ pines ; but then a very few malicious Persons
 ‘ did endeavour to break that happy Agreement
 ‘ between them, and studied to possess the King
 ‘ with a Scruple in his Conscience about it ; and to
 ‘ support that did get the Seals of some Universities
 ‘ against it, a few Persons being corrupted with
 ‘ Money for that End. They had also, by sinif-
 ‘ trous Ways and secret Threatnings, procured the
 ‘ Seals of the Universities of this Kingdom, and
 ‘ finally *Thomas Cranmer* did most ungodlily and a-
 ‘ gainst Law, judge the Divorce, upon his own un-
 ‘ advised Understanding of the Scriptures, upon the
 ‘ Testimonies of the Universities, and some bare
 ‘ and most untrue Conjectures ; and that was after-
 ‘ wards confirmed by two Acts of Parliament, in
 ‘ which was contained the Illegitimacy of her Ma-
 ‘ jesty ; but that Marriage not being prohibited by
 ‘ the Law of God, could not be so broken ; since
 ‘ what God had joined together no Man could put
 ‘ asunder. All which they considering, together
 ‘ with the many Miseries that had fallen on the
 ‘ Kingdom since that Time, which they did esteem
 ‘ Plagues sent from God for it ; therefore they
 ‘ declare that Sentence given by *Cranmer* to be un-
 ‘ lawful, and of no Force from the Beginning, and
 ‘ do also repeal the Acts of Parliament confirming
 ‘ it.’

A short Remark of Mr. *Collier*’s may not be amiss
 in this Place. This Writer says, ‘ That by confir-
 ming the Marriage between King *Henry* and Queen
Katharine, this Parliament did not only make
 themselves Judges of the Scriptures Meaning, and
 pronounce upon a Cause, within the Verge of Ec-
 clestiaftical Jurisdiction ; but, by this Act they did
 acknowledge, tacitely, the Pope’s Supremacy. It is
 certain, that the Lawfulness of the Marriage stood
 upon the Dispensation of Pope *Julius* the 2d, and
 therefore an Act, which declares the Marriage good,
 must, by consequence, acknowledge the Pope’s Au-
 thority. But then, adds our Author, the Parlia-
 ment might found their Declaration upon that

Text

Text in *Deuteronomy* the xxv. Ver. 5 (c). and believe that King *Henry* the Eighth's Marriage with *Katharine* of *Spain*, his Brother's Widow, stood upon the Reason and Equity of that Law, (d).

The next Bill that was sent by the House of Lords to the Commons was, for the repealing of King *Edward's* Laws about Religion. It was sent down, *October* 31, and argued for six Days in that House. In the End it was carried and passed into a Law; it declared the great Disorders that had fallen out in the Nation, by the Changes that had been made in Religion, from that which their Forefathers had left them on the Authority of the Catholick Church. Thereupon, all the Laws that had been made in King *Edward's* Time, about Religion, were now repealed. And it was enacted, That from the 20th of *December* next, there should be no other Form of Divine Service but what had been used in the last Year of King *Henry* the Eighth. By which one Blow, says *Heylin* (e), was felled down all that had been done in the *Reformation* for seven Years before. And no less than nine Acts of Parliament, all made for the Establishment of the Reformed Religion, were utterly repealed (f).

By another Act, which passed the Lower House, and was sent up to the Lords, it was declared that all those, who by any overt Act should molest or disturb any Preacher because of his Office, or for any Sermon that he might have preached; or should any Way disturb him when he was in any Part of the Divine Offices, that either had been in the last

U 3 Year

(c) If Brethren dwell together, and one of them die, and have no Child, the Wife of the Dead shall not marry without unto a Stranger: Her Husband's Brother shall go in unto her, and take her to him to Wife, and perform the Duty of an Husband's Brother unto her.

(d) *Collier's Ecclesiast. Hist.* Vol. II. Pag. 350.

(e) *History of Q. Mary*, Pag. 28.

(f) See the Titles of these Acts in the *Statutes at large, Anno. 1. Mariae, Sessio Secunda.*

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Year of King *Henry*, or should be afterwards set forth by the Queen; or should break or abuse the Holy Sacrament, or break Altars, Crucifixes, and Crosses; those that did any of these Things should be presented to the next Justice of Peace, who was to imprison them for three Months, or 'till they were penitent for their Offences; and if any rescued them, they should be liable to the same Punishment. To this a Proviso was added, by the Lords, that this Act should no ways derogate from the Authority of the Ecclesiastical Laws and Courts, who might also proceed upon such Offences. It is probable that some late Disorders, at *St. Paul's Cross*, where one *Bourn* had a Dagger thrown at him as he was preaching, occasioned this Act.

Act relating to Riots.

Burnet observes, That the Commons were now so heated, that is, we presume, so over-run with Zeal for the Catholic Cause, that they sent up another Bill to the Lords, against those who came neither to Church nor Sacraments, after the old Service should be again set up; Punishments, in these Cases, being left to the Spiritual Courts. But this fell in the House of Lords; not so much, adds this Author, out of any Opposition that was made to it, but they were afraid of alarming the Nation too much, by too many severe Laws at once (g).

Besides these Laws, which were made in order to bridle the Reformers in Church-Affairs, there was another introduced for the Security of the publick Peace. This was another Revival of a Riot Act, or against unlawful and rebellious Assemblies. By this Statute it was enacted, 'That if any, to the Number of twelve or above, should meet to alter any Thing established by Law, relating to Religion; and being required by any, having the Queen's Authority to disperse themselves, and should continue together, after that, one Hour, it should be Felony. If the same Number met to break Hedges or Parks, to destroy Deer, Fish, &c. and did not disperse upon Proclamation, it should be Felony. If any,

by

By ringing of Bells, Drums, or firing of Beacons, gathered the People together, and did the Things before-mentioned, it was Felony. If the Wives or Servants of Persons, so gathered, carried Money, Meat, or Weapons to them, it should be Felony. And if any, above the Number of two, and within twelve, should meet for these Ends, they should suffer a Year's Imprisonment; empowering the Sheriffs or Justices to gather the Country for the Resistance of Persons so offending, with Penalties on all, between Eighteen and Sixty, that, being required to come out against them, should refuse to do it. And this Act is ordered to be read and published at every Quarter-Session, and at every Leet and Law-Day.

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Bishop *Burnet* passes a severe Censure on this Act, which must not be omitted. He says, That when it was published, the People then saw clearly how they had been deceived by the former Act, which seemed so favourable, repealing all former Acts of Treasons and Felonies; since there was an Act passed, so soon after it, that renewed one of the severest Laws of the last Reign; in which so many Things were made Felonies, that might flow from sudden Heats, and a great many new and severe Proviso's were added to it.

Two private Bills occasioned more Debate in the Houses than the publick ones had done. The first was for repealing an Act for confirming the Marquess of *Northampton's* second Marriage, whilst his first Wife was alive. This Affair made a great Noise at that Time; but we shall pass it over to come to a Bill of still a more publick Nature, which was to repeal the Attainder of the Duke of *Norfolk*.

The Reader may remember that the very last Act of State, done by King *Henry VIIIth*, was signing a Bill for the Attainder of that Nobleman. Who was to have been executed, as his Son the Earl of *Surrey* had been, if Death itself had not brought him a Reprieve by taking King *Henry* before him.

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him. The Duke was kept close Prisoner in the *Tower* all the last Reign; and, being a zealous Catholic, *Mary* thought a Person of his great Rank and Fortune would add a Weight to her Designs. But the Bill for reversing this Attainder met with much Opposition in the House of Commons. The Patentees, who had purchased some Parts of the Duke's Estate from the Crown, desired to be heard by their Council against it. And, the Session of Parliament being near at an End, the Duke came down himself to the House of Commons, *December* the 14th, and earnestly desired them to pass his Bill; declaring, that the Difference between him and the Patentees was referred to Arbitration; and, if they could not agree, he would refer it to the Queen. But, after this, it was long argued, tho' in the End it was agreed to, and the Bill was passed.

The *Journal Book* of the Lords, tho' it is deficient in the Acts of the first and second Sessions of this Parliament, yet hath inserted in it the Preamble to this Act of Reversion, which we shall give in its own Words;

The Duke of Norfolk's Attainder reversed.

' And may it please your Highness that it be declared by the Authority of this present Parliament, that the Law of this Realme is, and always has been, that the Assent and Consent of the King of this Realme to any Act of Parliament ought to be given in his own Royal Presence, being personally present in the Higher House of Parliament, or by his Letters Patents under his Great Seal, assigned with his Hand, declared and ratified in his Absence to the Lords Spiritual and Temporal, and the Commons assembled together in the Higher House, according to the Statute made in the 34th Year of the Reign of the said late King *Henry VIIIth*, in that Case made and provided.'

Another Exception made to the Act of Attainder, and mentioned in the *Journal*, was 'because the King's Stamp, expressing his Name, was only put to it, not signed with his own Hand, and that was set at the Bottom of the said Act, and not above.

By

By which it does not appear that the King ever gave his Assent to it; and since there was nothing charged against the said Duke but some pretended Reasons for using Coats of Arms, which he and his Ancestors had, and might lawfully use. And that the Lord *Paget*, late Secretary of State to King *Henry*, came into the House of Commons, also, and deposed upon his Honour, that the said Letters Patents for the Passing this Act, were not signed with the King's Hand, but only the Stamp put to them by one *William Clerk* (b). The King also dying the Night after, the whole shew'd that it was disorderly done; and therefore that pretended Act is declared void and null by the Common Laws of the Land.

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The last Act which comes under our Notice (i), was a Confirmation of the Attainders which had been made, in a Trial at Bar, against Archbishop *Cranmer*, the Lord *Guilford Dudley*, and the Lady *Jane* his Wife, &c. They had all confessed their Indictments, and by this Act they were attainted of High Treason; for levying War against the Queen, and conspiring to set up another in her Room. The Lord and Lady were beheaded, but *Cranmer*, being divested from his Bishoprick, by this Act, was kept in Prison 'till he suffered a more dreadful Execution afterwards.

Other Acts of Attainder confirm'd.

About this Time it was that the Queen had been solicited to marry; and three Persons were secretly propos'd to her for a Match; these were *Courtney* Earl of *Devon*, Cardinal *Pole*, and *Philip*, eldest Son to the Emperor *Charles* the Fifth. It was thought that her Inclinations stood most for the young Earl of *Devonshire*. He was a fine Person, and of Royal Extraction; his Grand-Mother being Daughter to King *Edward* the Fourth. It is said, This Nobleman had received some intelligible Invitation to this Match from the Queen herself; but

(b) *Dyer's Reports*, An. 1. Mariae. Fol. 93.

(i) This Act is recited, at Length, in a Proclamation for a general Pardon, dated January 13th, Anno Regni 1.

Ford. Aug. Tom. XV. Pag. 361, &c.

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but he declined it, and desired Leave to address the Lady *Elizabeth*, which much displeased her elder Sister. It was objected against Cardinal *Pole*, that he was advanced in Years; and so much given to his Study and Devotion, as to be noways fit for her Husband or the Regal Dignity. *Philip* of Spain was deemed preferable in all Respects; he was Heir to the greatest Monarch in *Europe*, bred to the Business of a Crown; of an enterprising Genius; and, since the National Affairs required a Person of his Power, it was urged, that by such an Alliance, the Trade of the Kingdom would be extended, and the public Interest considerably advanced. But notwithstanding the Complacency this Parliament shewed to the Queen and her Ministry, the Rumour being spread that she was going to marry *Philip*, the House of Commons were much alarmed; and came to a Resolution to address the Queen against it. Accordingly, they sent their Speaker, with twenty of that House, with an earnest and humble Address to her, not to marry a Stranger. What Answer they received is not known; but it may well be imagined no good one, for when the Court perceived their Inclinations in this Matter, and that more was not to be expected from them, on the 6th Day of *December* the Queen came to the House of Peers, and dissolved this Parliament, after having given the Royal Assent to thirty-one Acts, according to the Commons *Journal*; tho' the *Statute Books* mention only eighteen.

The Commons address the Queen against marrying Philip of Spain.

An Historian (*k*), before quoted, hath given us some farther Account of the Debates in the Lower House, about this *Spanish* Match, from a Manuscript of a Member of this very Parliament; who writes thus; ‘ Do you remember, at that Time, the Motion of the Speaker, and the Request of the Commons House, what they did and could have moved then? And how they all ran one Way, like the Hounds after the Hare, High and Low, Knights, Esquires and Burgessees, such as
‘ were

(*k*) *Strype's Eccles. Memorials*, Vol. III, p. 55. From a Manuscript of Sir Tho. Smith.

‘ were of the Privy Council, and others far and near ? Whom preferred they, I pray you then, if Men could have had their Wish, the Stranger or the *Englishman* ? And think you they did not consider her Majesty’s Honour, &c.’ And when Somebody in the House had endeavoured to reconcile the rest to this Marriage, by shewing how safe the Nation might make itself, by Bonds and Covenants which this Prince should enter into with the Queen, one Member stood up, and asked this smart Question ; ‘ In case, said he, the Bonds should be broken between the Husband and the Wife, each of them being Princes in their own Country, who shall sue the Bonds ? Who shall take the Forfeit ? Who shall be their Judges ? And what shall be the Advantage ?’ Our Cotemporary Writer look’d upon this to be a shrewd Question ; and concludes that no other Answer could be given to, ‘ What Advantage ? None, but Discord, Dissention, War and Blood-shed ; and, either extreme Enmity, or, that one Part must at length break or yield.’

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The Parliament thereupon dissolved.

In this Humour was this first Parliament of Queen Mary dissolved ; which shews plainly that the Members of it were not so subservient to Court-Measures, that they could even forget they were *Englishmen* to oblige the Ministry. But Matters of State made it absolutely necessary that a new Parliament should be called very soon ; the Affair of the Marriage, which was now agreed on at Court, and must be finish’d with the Consent of both Houses, pressing for it. Bishop *Burnet* insinuates (1), that the Chief Minister, *Gardiner*, had informed the Emperor, that the Marriage was like to meet with great Opposition, unless extraordinary Conditions were offered ; such as all should see were much to the Advantage of the *English* Crown ; otherwise it could not be carried without a general Rebellion. He also assur’d the Imperial Court, that if great Sums of Money were not sent over, to gratify the chief Nobility and leading Men in the Country,

both

(1) *History of Reformation*, Vol. II, p. 261.

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both for obliging them in his Interest, and enabling them to carry Elections for the next Parliament, the Opposition would be such, that the Queen must lay down all Thoughts of marrying Don *Philip*. Accordingly, the same Authority assures us, that a mighty Sum was sent over, amounting to four hundred thousand Pounds *English Money*; which, he adds, no one will think an extraordinary Price, when he considers that *England* was to be bought with it. With this Money *Gardiner* is said to have corrupted many; inasmuch, that in the Court of Chancery, common Justice was denied to all but those who came into these Designs.

Thus does this Right Rev. Author carry on his Investives, without mentioning any Authority for it but his own; which gives an impartial Reader some Room to doubt of his Sincerity. We have taken Notice, that the last Parliament was as obsequious to the Court as possible, except in the Affair of the Marriage, and yet he does not charge the Ministry with Bribery in carrying the Elections for it. But whether the Way was paved in this Manner or not, 'tis certain that a Parliament was called by Writs dated at *Westminster*, Feb. 20th, to meet at *Oxford* on the 2d of *April* following, which was still in the first Year of this Queen. *Grafton* informs us, that this Call to *Oxford* was occasion'd by a Distaste that the Queen had taken against the *Londoners*, as being Favourers of *Wyat's* Rebellion, which was just then quashed; but tho' great Preparations were made for the Meeting at *Oxford*, it was held at *Westminster*, at the Time appointed, by Adjournment (*m*).

A new Parliament at *Oxford*, but adjourn'd to *Westminster*.
Anno Regni 1,
1554.

The *Journal-Book* of the Peers begins this Parliament but lamely, tho' it goes on regularly, *de Die ad Diem*, afterwards. For tho' the Receivers and Tryers of Petitions are mentioned, as formerly, yet there is no Speech from the Lord Chancellor, nor no Speaker of the House of Commons chosen, as is usual. But the Commons *Journal* acquaints us, that the Knights, Citizens, and Burgeses, chose

Robert

(*m*) *Grafton and Hollinghead.*

Robert Brook, Esq; Serjeant at Law and Recorder of *London*, for their Speaker ; who made an eloquent Speech to the Queen on that Occasion. And that the Purport of the Lord Chancellor's Oration, to both Houses, was to declare, that this Parliament was called for the Corroboration of true Religion, and concerning the Queen's Highness most noble Marriage.

Robert Brook,
Esq; chosen
Speaker.

The first three Days seem to have been wholly taken up in reading Writs for appointing Proxies, and introducing some new Peers into that House ; and, *April* 5th, the Lord Chancellor declared to the House, that by reason of the high Winds and Inclemency of the Weather (*n*), the Queen could not, without some Danger to her Person, come down to *Westminster* ; therefore, in her Majesty's Name, he adjourn'd the Parliament to *Whitehall*, to meet the next Morning at Nine of the Clock.

Our Right Rev. Historian begins this Parliament with a further Account of Bishop *Gardiner's* Briberies and Corruptions ; by acquainting us, that the Members were all prepared beforehand, by very considerable Presents ; some, he says, had 100 l. some 200 l. a Year, for giving their Voices in the Article of the Marriage. He proceeds to tell us, that the first Act that passed was to declare the Queen's Right of Succession to the Crown (*o*). Indeed it stands so in the printed Statutes, but if we may credit the Lords *Journal*, the very first Bill that was brought into that House, and which was on the 7th of *April*, was to confirm certain Articles and Agreements touching the Marriage between the Queen's most excellent Highness and the Prince of *Spain*. It was read once on that Day, and committed to the Earl of *Shrewsbury*, the Bishops of *Durham* and *Worcester*, the Lords *Rich*, *Paget*, and *Williams*. On the 9th, being *Monday*, the Bill was read again ; the next Day it passed that House, and was sent down to the Commons, who returned it

Act relating to
the Queen's Mar-
riage with Phi-
lip.

(*n*) *Propter nimium Ventum et Caeli Intemperiem.*

(*o*) His Copier, *Rapin*, is guilty of the very same Mistake.

Queen Mary.

it concluded on the 12th; so that it is plain that this was the first Thing they went upon, and carried through both Houses, with all possible Expedition.

If our learned Writer had not quoted from the *Journals* of the Lords, hitherto, we might well imagine he had never seen them. For, in his Account of the Proceedings of this first Session, he never once mentions this Act for confirming the Marriage; which was a Matter of such Consequence, as is unpardonable in so particular an Historian to omit. Instead of this, he seems to be chiefly hunting after Blots and Stains in this Reign, in order to make his own *Reformation-History* appear with the greater Lustre. A Man may be a severe Enemy to the Measures taken in Queen Mary's Days, to restore *Popery* in this Kingdom, and yet, at the same Time, so great a Friend to Truth as to relate Things as they happened.

Dr *Heylin*, tho' he had not those Helps and Assistances the other met with in his History of this Reign, begins the Proceedings of this Parliament with the Bill for the Marriage, as the principal Reason for which it was called. That Author hath, also, left us an Abstract of the Act itself, by which this famous Marriage was concluded; and the Articles are so extraordinary as to challenge a Place in these Enquiries (p).

First, ' That *Philip* should not advance any Person to any publick Office or Dignity in *England*, but such as were Natives of the Realm, and the Queen's Subjects; that he should admit a set Number of *English* into his Household, whom he should use respectfully, and not suffer them to be injured by Foreigners. That he should not transport the Queen out of *England*, but at her Intreaty, nor any of the Issue begotten on her, who should have their Education in this Realm, and should not be suffered but upon Necessity and good Reasons to go out of the same, nor then neither but
' with

(p) *Heylin's History of Queen Mary*, p. 37. There are other Articles, relating to Affairs Abroad, which are in most of our *Historians*.

‘ with the Consent of the *English*. That the Queen Mary.
 ‘ Queen deceasing without Children, *Philip* should
 ‘ not make any Claim to the Kingdom, but should
 ‘ leave it freely to him to whom of Right it should
 ‘ belong. That he should not change any Thing
 ‘ in the Laws, either publick or private, nor the
 ‘ Immunities and Customs of the Realm, but
 ‘ should be bound by Oath to confirm and keep
 ‘ them. That he should not transport any Jewels
 ‘ nor any Part of the Wardrobe, nor alienate any
 ‘ of the Revenues of the Crown. That he should
 ‘ preserve our Shipping, Ordnance, and Munition,
 ‘ and keep the Castles, Forts, and Block-Houses,
 ‘ in good Repair, and well manned. Lastly, that
 ‘ this Match should not any way derogate from
 ‘ the League lately concluded, between the Queen
 ‘ and the King of *France*; but that the Peace be-
 ‘ tween the *English* and the *French* should remain
 ‘ firm and inviolate.’

We will now see how Bp *Burnet* sets off in his Account of this Parliament; who, without taking any Notice of the above cited grand Affair, enters upon a more secret History as follows (q):

‘ The first Act that passed in this Session of Par-
 ‘ liament, seemed of an odd Nature, and has a great
 ‘ Secret under it. The Speaker of the House of
 ‘ Commons brought in a Bill, declaring, That
 ‘ whereas the Queen had of Right succeeded to
 ‘ the Crown, but, because all the Laws of *Eng-* Another relating
 ‘ *land* had been made by Kings, and declared the to the Preroga-
 ‘ Prerogative to be in the King’s Person; from tive.
 ‘ thence some might pretend that the Queen had
 ‘ no Right to them; it was therefore declared to
 ‘ have been the Law, that these Prerogatives did
 ‘ belong to the Crown, whether in the Hands of
 ‘ Male or Female; and whatsoever the Law did
 ‘ limit and appoint for the King, was of Right also
 ‘ due to the Queen, who is declared to have as
 ‘ much Authority as any of her Progenitors.’

Many of the House of Commons wonder’d what was the Intention of such a Law; and, adds our Authority,

Authority, as People were at this Time full of Jealousy, one *Skinner*, a Member of that House, said, 'He could not imagine why such a frivolous Law was desired, since the Thing was without Dispute; and that which was pretended of satisfying the People was too slight: He was afraid there was a Trick in these Words, *That the Queen had as great an Authority as any of her Progenitors*; on which, perhaps, it might be afterwards said, she had the same Power as *William* the Conqueror exercised, in seizing the Lands of the *English* and giving them to Strangers; which also *Edward* the First did on his Conquest of *Wales*. He did not know what Relation this might have to the intended Marriage; wherefore he warned the House to look to it.' On this a Committee was appointed to correct the Bill; and such Words were added as brought the Queen's Prerogative under the same Limitation, as well as exalted it to the Height of her Progenitors.

It would have been well if our learned Historian had given us his Authority for this Speech of Mr *Skinner*, and the Consequences of it; however, we shall not dispute its Veracity, and only repeat what is said before, that it was not the first Bill that passed both Houses; for it was introduced and read once in the House of Lords on the 10th of *April*, the Day that the Marriage-Bill pass'd that House, and was not concluded till some Days after the other had passed both Houses.

But after all, there is a better Reason given for the Necessity of passing this Act than any our Predecessor has advanced; which was, to prevent any Disturbance that might arise, from an Opinion broached by some of Queen *Mary's* Enemies, at that Time, *That it was unlawful for a Woman to govern*; to prove which, the famous *Knox*, and some other Reformers, published Books expressly for that Purpose (r).

There was another Bill brought into the Lords, which seemed a Compliment to King *Philip*; it declared

(r) Kennet's *History of England*, Vol. II, p. 344. Note (i).

declared the compassing or imagining the Death of the Queen's Husband to be Treason, whilst she was living. But, tho' it passed this House, we do not find that it became a Statute ; and there being no mention of it in the Catalogue of the Acts at the End of this Session, nor in the *Journals* of the Commons, we may conclude the Bill was not sent to that House.

Queen Mary.

An Act for restoring the Bishoprick of *Durham* to its pristine State, by repealing two Acts made in the last Reign for its Dissolution, was also passed. In the House of Commons this Bill met with great Opposition from the Town of *Newcastle* ; because they had purchased, under the Dissolution-Act, the Town of *Gate-side*, and the Salt Meadows, &c. which occasioned *Tunstal*, Bishop of *Durham*, to come down to that House ; where, in a long Speech, he gave them an Account of the Troubles he had been under from the late Duke of *Northumberland*, and desired that they would dispatch the Bill. Yet still it was debated, and the House dividing, it was carried in the Affirmative, by 201 against 120.

The Bishoprick of Durham re-established.

This is our Prelate's Account, but he is much shorter in the Affair than he should be ; the Preamble to this Bill is very remarkable, and sets forth (s) :

‘ That certain ambitious Persons taking Advantage of the late King's Minority, made an Interest by sinister Practice to procure the Dissolution of the Bishoprick ; that it was done out of mercenary Views, to enrich themselves and their Friends, by seizing the Lands of that See, rather than upon just Occasion or godly Zeal. That *Tunstal*, Bishop of *Durham*, was deprived upon untrue Surmises and false Accusations, and that the Process against him was foul and illegal. That upon a full Examination of the Matter, by the Queen's Commissioners, the Sentence of Depri-
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(s) Statutes at large, Anno 1mo Mariæ Sessio secunda, Cap. 3.
 Collier, 366.

Queen Mary.

‘ by an authentick Instrument. That the Queen
 ‘ had new founded the Bishoprick by her Letters
 ‘ Patent, and restored all the Lands in her Posses-
 ‘ sion. But, that neither the Reversal of the Sen-
 ‘ tence of Deprivation, nor the Queen’s Letters
 ‘ Patent, were of sufficient Force to recover the
 ‘ Honours, Lands, &c. to the See of *Durham*.
 ‘ Therefore, to restore the Bishoprick to its former
 ‘ Interest, Privileges, and Revenues, the two Dis-
 ‘ solution-Statutes of the last Reign were hereby
 ‘ repealed.’

But to conclude this Affair. Dr *Heylin* remarks,
 that by gaining this Point, the Court had one Vote
 more in the House of Lords: And by the Consecra-
 tion of several new Bishops, with the Creation
 of some new Lords, the Interest of the *Papish*
 Cause, in that House, was much augmented.

Bills for punish-
ing of Heresy.

The Commons sent up a Bill for reviving the
 Statutes made against *Lollardy*, which being read
 twice by the Lords was laid aside. The Lords
Journals tell us, that a Bill against Heresies and
 erroneous Preachings was sent up; and at the third
 Reading it was thrown out by a Majority of that
 House. Bishop *Burnet* insinuates, that the Com-
 mons intended next to have revived the Statute of
 the *Six Articles*; but it did not agree with the De-
 signs at Court, to take any Notice of King *Henry’s*
 Laws, and therefore it was dropped (†). So for-
 ward, adds our Author, were the Commons to
 please the Queen, or such Operation had the *Span-
 ish* Gold on them, that they contrived four Bills,
 in one Session, for the Prosecution of those called
Hereticks.

But, in order to take off the Imputation of too great
 Partiality in the House of Commons, tho’ a Moti-
 on was made in that House for a Bill to restore the
 Pope’s Power in *England*, yet another of a contra-
 ry Nature was resolved on; which was, That neither
 the

(†) It was brought into the House of Commons and read once
April 17th, but we hear no more of it at this Time.

he Bishop of *Rome*, nor any other Bishop, should Queen Mary.
 have any Power to convene or trouble any Person
 for possessing Abby-Lands. It passed the Com-
 mons on the 27th of *April* (u), and was sent to the
 Lords, but set aside for that Time; Assurance being
 given, that the Owners of those Lands should be
 fully secured. The Title of this Bill, in the Lord's
Journal, is, That no Bishop [without mentioning of
Rome] shall convene any Person for the Abby Lands;
 and it is reasonable to suppose that since, by Laws
 then in Force, the Bishop of *Rome* had no Autho-
 rity at all in *England*, it was needless to make an
 Act in that Particular against him (*). This ra-
 ther seemed, says our Prelate, to assert his Power in
 other Things; and since the Court was resolved to
 reconcile the Nation to him, it was said that it
 would be indecent to pass an Act that should only
 call him *Bishop of Rome*, which was the Appellation
 given him during the Schism; and it was prepos-
 terous to begin with a Limitation of his Power before
 they had allowed his Authority.

To bring this Session to a Conclusion. On the
 4th of *May* a Bill was sent up to the Lords, by the
 other House, confirming the Attainder of the late
 Duke of *Suffolk*, Sir *Thomas Wyat* and others: It
 was read thrice that Day, and committed to the At-
 torney-General to carry down to the Commons,
 with this Request, that these Words, [and so far as
 as divers of the same Traytors] with seventeen Lines
 to the End of the Bill, might be wholly put out. The
Journals of the Commons inform us, that it was not
 till the last Day of the Session this Objection of the
 Lords was debated in that House; when, upon the
 Question, the Clause for forfeiting entailed Lands,
 contained in the Bill, was agreed by a Majority to
 be kept in. In all Probability, this was the Reason
 why the Bill did not pass into a Law at that Time;
 for it is not mentioned in the Catalogue of Acts in

X 2

the

(u) *Journals of the Commons.*

(*) It passed the House of Commons under the Title of *Bishop of Rome*.

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Queen Mary.

the *Lords Journal*; and this, or another Act of like Nature, was not carried through 'till the next Parliament. As this is expressly against the Authority of Bishop *Burnet*, it may be observed again, that this Historian is not always so exact as he ought to be (y).

Another Act was passed for the Restitution, in Blood, of Sir *William Parr*, late Marquess of *Northampton*, attainted and condemned for aiding and assisting the late Duke of *Northumberland*, in his Support of the Lady *Jane Gray*.

A Point of Privilege.

Mr. *Beaumont*, a Member of the House of Commons, having served a *Subpœna* on the Earl of *Huntingdon* in Parliament-Time, the Lords were offended; and, *April 17th*, they sent some of the Judges to the Lower House, bringing the *Subpœna* with them, and prayed the Order of the House for that Offence. After some Debate, it was resolved that eight Members of the said House should declare to the Lords, *That they took the executing this Writ to be no Breach of Privilege* (z).

The Parliament dissolved.

May the 5th, the Bills, to the Number of fifteen being all ready for the Royal Assent, the Queen came to the House and passed them; and then commanded the Lord Chancellor to dissolve this Parliament.

The Queen married to Philip of Spain.

The Marriage being now agreed to, by the Consent of the whole Realm in Parliament, Prince *Philip* landed at *Southampton*, on the 20th Day of *July*, and was espoused to the Queen, at *Winchester*, on the 25th of the same Month, in the Year 1554. After which they were both proclaimed by these Titles;

(a) *PHILIP and MARY, by the Grace of G O D, King and Queen of England, France, Naples, Jerusalem, and Ireland, Defenders of the Faith; Princes of Spain and Sicily; Archdukes of Austria; Dukes of Milan, Burgundy and Brabant; Counts of Hapsburg, Flanders and Tyrol.*

The

(y) *Burnet's Reformation*, Vol. II. Pag. 279.

(z) From the *Commons Journals*.

(a) *Grafton's Chron. Sub hoc Anno*. The Proclamation, with the Stile in *Latin and English*, is in *Rymer*. Tom. XV. Pag. 274.

The Solemnity of this great Marriage being over, ^{Philip and Mary.} and some other Matters of State settled, their United Majesties thought proper to call a new Parliament the next Winter, by Writs bearing Date *September* ^{Writs issued for a new Parliament.} the 25th, to meet at *Westminster* on the 11th of *November* following. It is to be observed that in these Writs, as well as in the foregoing Royal Style, the Title of *Supreme Head of the Church* was omitted; tho' it was still, by Law, united to the other Royal Titles. And this, Bishop *Burnet* observes, was urged as a good Reason for annulling the Statutes of this Parliament, in the Beginning of the next Reign; because it was not called by a lawful Writ.

A later Ecclesiastical Historian, (a) of the same Times, tells us, 'That the Queen wanting fit Parliament-Men for her Purpose, sent out her private Letters to all the Sheriffs to deal with the People for electing such Members as would do her Work. And, that the Commons might be the better drawn to it, they were to assure the People, that it was not the Queen's Intention to take away any Man's Possessions, many of which came to them by the Dissolution of Monasteries, or from the Church; and to labour to free the People from other Rumours spread abroad.' Our Author hath given us a Copy of the Queen's Letter on this Occasion, which we think very pertinent to these Enquiries: It is needless to observe to the Reader, that this very same Stretch of the Prerogative had been practised in the last Reign; but by comparing King *Edward's* Letters with the following, a very sensible Difference will be found (b).

By the QUEENE.

*T*Rusty and well beloved we grete you well. And ^{The Queens Letter to the Sheriffs for electing Catholick Members.} where among other Matters for the Prosperity and Commodity of our Realme, we intend principally the Restitution of God's Honour and Glory, whom we acknowledge our cheif Author and Helper, as well in bringing us to the Right of our Estate, as also in this most noble Marriage, which we have now atcheived

X 3

(a) *Strype's Eccles. Mem.* Vol. III. P. 154.

(b) See before, P. 265.

Philip and Mary. *and perfected, much to our Satisfaction and Contentation; and, as we trust, of the rest of the good Catholic People within our Realmes: THESE shall be to will and command you, that, for withstanding such Malice as the Devil worketh by his Ministers, for the Maintenance of Heresies and Seditions, ye now, on our Behalf, admonish such our good loving Subjects, as by Order of our Writs should, within that County, choose Knights, Citizens, and Burgeses, to repair from thence to this our Parliament, to be of their Inhabitants as the Laws require, and of the wise, grave and Catholic Sort; such as, indeed, mean the true Honour of God with the Prosperity of the Commonwealth, the Advancement whereof, we and our dear Husband the King do chiefly profess and intend; without Alteration of any particular Man's Possessions, as, among other false Rumours, is spread abroad to hinder our Godly Purpose; but such would have their Heresies return, and the Realm, by the just Wrath of God, be brought to Confusion; from which we have seen the same marvailously deliver'd; and mind, by God's Help, and the Advice of our Counsellors and Estates of this our Parliament, to uphold and continue. Requiring you, with the rest of the Justices of that County, to whom you shall also shew and declare these our Letters, that Spreaders of Rumours and Tales may be, by their Diligence, speedily apprehended, and, according to the Law of our Realm sharply punished; according to the Trust we have in them, and as they will answer for the due Punishment of their Slackness and remiss Dealing in this Behalf. Yeven, &c.*

Anno Regni 1
and 2.
At Westminster.
1554.

What Influence this circular Letter had on the Kingdom will appear best by the Sequel. We are told that this Parliament began with a very unusual Solemnity (c), the King and Queen rode down to the House, on Horseback, in their Robes of State; two Swords of State and two Caps of Maintenance being carried before them. The Swords were born by the Earls of *Pembroke* and *Westmorland*, and the Caps by the Earls of *Arundale* and *Shrewsbury*. The

(c) *Grafton's Chron. Sub hoc Anno.*

initial Ceremonies, at the Opening of the Parliament, are omitted in the *Journals* of the Lords; but, that of the Commons informs us, that the Bishop of *Winchester*, Lord Chancellor, opened this Session with a Speech, declaring this Parliament to be call'd for the Confirmation of true Religion and other weighty Matters. After which the Commons chose *Clement Higham*, Esq; one of the Privy Council, to be their Speaker. Who, in an excellent Oration, as it is there called, comparing the Body politic to the Body natural, introduced the three usual Petitions, for Freedom of Speech, &c. and was accepted.

Philip and Mary.

Clement Higham, Esq; Speaker.

The first Bill that appeared in the House of Lords was to repeal the Act of Attainder against Cardinal *Pole*. It was introduced on the 17th of *November*, passed both Houses on the 21st, having been read thrice by the Commons in one Day, says *Burnet*, but, by the *Journals*, in two; it had the Royal Assent on the 22d; the King and Queen being both present on this Occasion. The Reason of this quick Dispatch was, because the Cardinal was then arriv'd in *England*, as Legate from the Pope, and he could not appear in Parliament 'till by this Act he was restored to his paternal Estate and Dignity; from which he had been deprived by an Act of Attainder pass'd in the thirty-first Year of the Reign of *Henry* the Eighth.

Cardinal Pole's Attainder reversed.

Grafton tells us that the Cardinal was receiv'd with no great Pomp, at his Entrance into *London*; but, his Attainder being taken off, he soon took more State upon him. There had been one Question argued in the House of Commons about passing this Bill, whether it could be done without making a Session, which would necessitate a Prorogation? It was resolved in the Affirmative, and so the Bill was passed. The Reason set forth in the Act, for reversing this Attainder, was, 'That it was laid upon the Cardinal, because he would not consent to the unlawful Separation and Divorce, between King *Henry* and his most godly, lawful, and vertuous Wife, Queen *Katherine*; therefore, they

Philip and Mary. they, considering the true and sincere Conscience of the Cardinal in that Point, and his other many godly Vertues and Qualities, did repeal that Act.

Matters being thus premised, the Cardinal was not only restored to his State and Dignity as an *English Nobleman* of the Blood Royal, but at Liberty to open his Commission from *Rome* as a Legate from that See. Accordingly, on the 27th of *November*, a Message was sent to both Houses of Parliament to come up to *Whitehall*, to hear him deliver his Legation. The Reason that the King and Queen did not come to the Parliament House in *Westminster* was, because the Queen was sick at that Time, says *Grafton*, so the great Chamber in the Palace at *Whitehall* was prepared for that Purpose. Here, the King and Queen being seated under a Canopy, the Cardinal on their right Hand, the Bishops, Lords and Commons attending, the Bishop of *Winchester*, Lord Chancellor, spake to this Effect (d):

Bp Gardiner,
Lord Chancellor,
introduces him to
the Parliament.

My Lordes of the upper House, and you my Maysters of the nether House here present.

THE Right Reverend Father in God, my Lord Cardinal Pole, Legate a Latere, is come from the *Apostolique See* of *Rome*, as Ambassadour to the King and Queenes Majesties, upon one of the weightiest Causes that ever happened in this Realme, and which pertaineth to the Glory of God and youre universal Benefite. The which Ambassade their Majesties Pleasure is to be signified unto you all by his owne Mouth, trustyng that you receyve and accept it, in as benevolent and thankfull wise as their Highnesses have done; and that you will give attentive and inclinable Eares unto his Grace who is now readie to declare the same.

As soon as the Lord Chancellor had ended, the Cardinal stood up and made a long Oration, which that old Historian *Grafton*, probably, was an Ear-Witnes to; for, in his Chronicle, which ends with this Reign, he hath reduced this Speech, for Brevity's Sake, into several Heads. But Mr. *Foxe* in his

Acts

(d) This Speech is copied, *literatim*, from *Grafton's Chronicle*, P. 1344, to shew the Orthography of those Times,

Acts and Monuments, the first Edition of which was publish'd in *Latin*, in Queen *Mary's* Reign (e), has given us this Speech at large. It would therefore be inconsistent with the Design of these Volumes, to give an Abridgement of this Discourse, when the whole may be come at. Especially, when the Length of it may well be excused, for the Matter there delivered; and that this Speech came from the Mouth of the greatest Ornament to the Catholic Cause then in *Europe*.

‘ MY Lords all, and you that are the Com-
 ‘ mons of this present Parliament assembled, which in Effect is nothing else but the State and
 ‘ Body of the whole Realm. As the Cause of my Repair hither hath been most wisely and gravely
 ‘ declared by my Lord Chancellor; so, before that I enter to the Particularities of my Commission,
 ‘ I have somewhat touching myself, and to give most humble and hearty Thanks to the King and
 ‘ Queen’s Majesties, and after them to you all; which, of a Man exiled and banished from this
 ‘ Commonwealth, have restored me to be a Member of the same; and of a Man having no Place
 ‘ neither here, or elsewhere within this Realm, have admitted me in a Place, where to speak and
 ‘ to be heard. This I protest unto you all, that though I was exiled my native Country without
 ‘ just Cause, as God knoweth, yet that Ingratitude could not pull from me the Affection and Desire
 ‘ that I had to profit and do you Good. If the Offer of my Service might have been received it was
 ‘ never to seek, and where that could not be taken, you never failed of my Prayer, nor ever shall.
 ‘ But leaving the Rehearsal thereof, and coming more near to the Matter of my Commission, I
 ‘ signify unto you all, That my principal Travel is for the Restitution of this noble Realm to its
 ‘ ancient Nobility, and to declare unto you, that the See Apostolick, from whence I come, hath a
 ‘ special Respect to this Realm above all others;
 and

The Cardinal's
 Speech at deli-
 vering his Lega-
 tion from the
 Pope.

Philip and Mary, and not without Cause, seeing that God himself, as it were by Providence, hath given this Realm Prerogative of Nobility above others; which to make more plain unto you, it is to be considered that this Island, first of all Islands, received the Light of Christ's Religion. For as Stories testifie, it was *prima Provinciarum quæ amplexa est Fidem Christi*.

The Britains being first Inhabitants of this Realm, (notwithstanding the Subjection of the Emperors and Heathen Princes) did receive Christ's Faith from the Apostolick See universally, and not in Parts as other Countries, nor by one and one, as Clocks increase their Hours by Distinction of Times, but altogether at once, as it were in a Moment. But after that their ill Merits or Forgetfulness of God had deserved Expulsion, and that Strangers being Infidels had possessed this Land, yet God of his Goodness, not leaving where he once loved, so illuminated the Hearts of the Saxons, being Heathen Men, that they forsook the Darknes of Heathen Errors, and embrac'd the Light of Christ's Religion; so that within a small Space, Idolatry and Heathen Superstition was utterly abandon'd in this Island.

This was a great Prerogative of Nobility, the Benefit whereof tho' it be to be ascribed to God, yet the mean Occasion of the same came from the Church of *Rome*. In the Faith of which Church we have ever since continued and consented, with the rest of the World, in Unity of Religion. And to shew further the fervent Devotion of the Inhabitants of this Island towards the Church of *Rome*, we read that divers Princes in the Saxons Time, with great Travel and Expences, went personally to *Rome*, as *Offa* and *Adulphus*, which thought it not enough to shew themselves obedient to the said See, unless that in their own Persons they had gone to that same Place from whence they had received so great a Grace and Benefit.

In the Time of *Carolus Magnus*, who first founded

‘ founded the Univerſity of *Paris*, he ſent into *Philip* and *Mary*,
 ‘ *England* for *Alcuinus*, a great learned Man,
 ‘ which firſt brought Learning to that Univerſity;
 ‘ whereby it ſeemeth that the greateſt Part of the
 ‘ World fetch’d the Light of Religion from *Eng-*
 ‘ *land*.

‘ *Adrian* the Fourth, being an *Engliſhman*, con-
 ‘ verted *Norway* from Infidelity, which *Adrian* af-
 ‘ terwards, upon great Affection and Love that he
 ‘ bare to this Realm, being his native Country,
 ‘ gave to *Henry* the Second, King of *England*, the
 ‘ Right and Seignory of the Dominion of *Ireland*,
 ‘ which pertained to the See of *Rome*.

‘ I will not rehearſe the manifold Benefit that this
 ‘ Realm has received from the Apoſtolick See, nor
 ‘ how ready the ſame hath been to relieve us in all
 ‘ our Neceſſities. Nor will I rehearſe the manifold
 ‘ Miſeries and Calamities, that this Realm hath ſuf-
 ‘ fered by ſwerving from that Unity. And even
 ‘ as in this Realm, ſo alſo in all other Countries,
 ‘ which reſuſing the Unity of the Catholick Faith,
 ‘ have followed fantaſtical Doctrines, the like
 ‘ Plagues have happened. Let *Aſia* and the Empire
 ‘ of *Greece* be a Spectacle unto the World, who, by
 ‘ ſwerving from the Unity of the Church of *Rome*,
 ‘ are brought into Captivity and Subjection of the
 ‘ *Turk*. All Stories be full of like Examples. And
 ‘ to come unto the later Time, look upon our
 ‘ Neighbours in *Germany*, who, by ſwerving from
 ‘ this Unity, are miſerably afflicted with Diverſity
 ‘ of Sects, and divided into Factions.

‘ What ſhall I rehearſe unto you the Tumults and
 ‘ Effuſion of Blood that hath happened there of late
 ‘ Days? Or trouble you with the Rehearſal of thoſe
 ‘ Plagues that have happened ſince this Innovation
 ‘ of Religion, whereof you have felt the Bitterneſs,
 ‘ and I have heard the Report? Of all which Mat-
 ‘ ters I can ſay no more, but ſuch was the Miſery
 ‘ of the Time. And ſee how far forth this Fury
 ‘ went. For thoſe that live under the *Turk* may
 ‘ freely live after their Conſciences, and ſo was it
 ‘ not lawful here.

‘ If

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Philip and Mary.

‘ If Men examine well upon what Grounds these Innovations began, they shall well find that the Root of this, as of many other Mischiefs, was Avarice ; and the Lust and carnal Affection of one Man confounded all Laws both divine and human. And notwithstanding all these Devices and Policies, practised within this Realm against the Church of *Rome*, they needed not to have lost you, but that they thought rather as Friends to reconcile you, than as Enemies to infect you. For there wanted not great Offers of the most mighty Potentates in all *Europe* to have aided the Church in that Quarrel. Then mark the Sequel : There seemed by these Changes to rise a great Face of Riches and Gain, which in proof came to great Misery and Lack. See how God then can confound the Wisdom of the Wise, and turn unjust Policy to meer Folly ; and that Thing which seemed to be done for Relief, was cause of plain Ruin and Decay. Yet see that Goodness of God, which at no Time failed us, but most benignly offered his Grace, when it was of our Parts least sought and worse deserved.

‘ And when all Light of true Religion seemed utterly extinct, the Churches defaced, the Altars overthrown, the Ministers corrupted ; even like as in a Lamp the Light being covered, yet it is not quenched, even so in a few remained the Confession of Christ’s Faith, namely in the Breast of the Queen’s Excellency, of whom, to speak without Adulation, the Saying of the Prophet may be verified, *Ecce quasi derelicta !*

‘ And see how miraculously God of his Goodness preserved her Highness, contrary to the Expectation of Man, that when Numbers conspired against her, and Policies were devised to disinherit her, and armed Power prepared to destroy her, yet she being a Virgin helpless, naked and unarmed, prevailed and had the Victory of Tyrants, which is not to be ascribed to any Policy of Man, but to the almighty Goodness and Providence of God, to whom the Honour is to be given.

‘ And

And therefore it may be said, *Da Gloriam Deo. Philip and Mary.*

For in Man's Judgment, on her Grace's Part, was nothing in Appearance but Despair.

And yet for all these Practices and Devises of ill Men, here you see her Grace established in her Estate, being your lawful Queen and Governesse, born among you, whom God hath appointed to reign over you for the Restitution of true Religion, and Extirpation of all Errors and Sects. And to confirm her Grace the more strongly in this Enterprize, lo how the Providence of God hath joined her in Marriage with a Prince of like Religion, who being a King of great Might, Armor, and Force, yet useth towards you neither Armor nor Force, but seeketh you by the way of Love and Amity; in which Respect great Cause you have to give Thanks to Almighty God, that hath sent you such a Catholick Governesse. It shall be therefore your Part again to love, obey, and serve them.

And as it was a singular Favour of God to conjoin them in Marriage, so it is not to be doubted but that he shall send them Issue, for the Comfort and Surety of this Commonwealth.

Of all Princes in *Europe* the Emperor hath travelled most in the Cause of Religion, as it appeareth by his Acts in *Germany*; yet happily by some secret Judgment of God he hath not achieved the End. With whom in my Journey hitherwards I had Conference touching my Legation; whereof when we had Understanding, he shewed a great Appearance of most earnest Joy and Gladness, saying, that it rejoiced him no less of the Reconcilement of this Realm unto Christian Unity, than that his Son was placed by Marriage in the Kingdom; and most glad he was of all, that the Occasion thereof should come by me being an *Englishman* born; which is (as it were) to call home ourselves. I can well compare him to *David*, who though he were a Man elect of God, yet, for that he was contaminate with Blood and War, he could not build the Temple of *Jerusalem*,

Philip and Mary.

lem, but left the finishing thereof to *Solomon*, which was *Rex pacificus*. So may it be thought, that the Appeasing of Controversies of Religion in Christianity, is not appointed to this Emperor, but rather to his Son, who shall perform the Building that his Father had began. Which Church cannot be perfectly builded, unless universally in all Realms we adhere to one Head, and do acknowledge him to be the Vicar of God, and to have Power from above. For all Power is of God, according to the Saying, *Non est Potestas, nisi à Deo*. And therefore I consider that all Power being in God, yet, for the Conservation of quiet and godly Life in the World, he hath derived that Power from above into the Parts here in Earth; which is, into the Power Imperial and Ecclesiastical. And these two Powers, as they be several and distinct, so have they two several Effects and Operations. For Secular Princes, to whom the Temporal Sword is committed, be Ministers of God to execute Vengeance upon Transgressors and Evil-livers, and to preserve the Well-doers and Innocents from Injury and Violence. Which Power is represented in these two most excellent Persons, the King and Queen's Majesty here present, who have this Power committed to them immediately from God, without any Superior in that Behalf.

The other Power is of Ministration, which is the Power of the Keys, and Order in the Ecclesiastical State, which is by the Authority of God's Word, and Examples of the Apostles, and of all old holy Fathers from Christ hitherto, attributed and given to the Apostolick See of *Rome*, by special Prerogative. From which See I am here deputed Legate and Ambassador, having full and ample Commission from thence, and have the Keys committed to my Hands; I confess to you I have the Keys, not as mine own Keys, but as the Keys of him that sent me, and yet cannot open; not for Want of Power in me to give, but for certain Impediments in you to receive,

which

‘ which must be taken away before my Commission ^{Philip and Mary}
 ‘ can take Effect. This I protest before you, my
 ‘ Commission is not of Prejudice to any Person. I
 ‘ come not to destroy, but to build ; I come to re-
 ‘ concile, not to condemn ; I am not come to
 ‘ compel, but to call again ; I am not come to
 ‘ call any Thing in Question already done, but my
 ‘ Commission is of Grace and Clemency, to such
 ‘ as will receive it. For touching all Matters that
 ‘ be past, they shall be as Things cast into the Sea
 ‘ of Forgetfulness.

‘ But the Mean, whereby you shall receive this
 ‘ Benefit, is to revoke and repeal those Laws and
 ‘ Statutes, which be Impediments, Blocks and Bars
 ‘ to the Execution of my Commission. For like as
 ‘ I myself had neither Place nor Voice to speak here
 ‘ among you, but was in all Respects a b. sh’d
 ‘ Man, till such Time as ye had repealed those
 ‘ Laws that lay in my Way ; even so cannot you
 ‘ receive the Benefit and Grace offered from the
 ‘ Apostolick See, until the Abrogation of such Laws,
 ‘ whereby you have disjoined and dislevered your-
 ‘ selves from the Unity of Christ’s Church.

‘ It remaineth therefore that you, like true Chri-
 ‘ stians and provident Men for the Weal of your
 ‘ Souls and Bodies, ponder what is to be done in
 ‘ this so weighty a Cause ; and so to frame your
 ‘ Acts and Proceedings, as they may first tend to
 ‘ the Glory of God, and next to the Conservation
 ‘ of your Commonwealth, Surety and Quietness.’

The next Day the whole Court of Parliament
 drew up the Form of a Supplication, or Petition ;
 and the Day after the King and Queen, with the
 Peers and Commoners, being again assembled, the
 Bishop of *Winchester* there declared what the Par-
 liament had determined, concerning the Cardinal’s
 Request, and presented their Majesties the said Pe-
 tion ; a Copy whereof followeth :

*The Petition of
 the Parliament,
 declaring their
 Sorrow for all
 past Proceedings
 against the Pope.*

*WE the Lords Spiritual and Temporal, and the
 Commons, in this present Parliament assembled,
 representing the whole Bodie of the Realme of England
 and Dominions of the same, in the Name of ourselves
 particularly*

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Philip and Mary. particularly, and also of the sayd Bodie universally, offer this our most humble Supplication to your Majesties, to this Ende and Effect, that the same by your Grace's Intercession and Meane, may be exhibited to the most reverend Father in God, the Lord Cardinal Pole, Legate, sent specially hether from our most holy Father Pope Julius the thirde, and the See Apostolique of Rome, wherein we do declare ourselves very sorry and repentant of the long Schisme and Disobedience committed in this Realme, and the Dominions of the same, agaynst the said Sea Apostolique; eyther by making, agreeing, or executing of any Lawes, Ordinaunces, and Commaundements, agaynst the Primacy of the same Sea; or otherwise doying or speaking that might impugne or prejudice the same: Offering ourselves and promising by this our Supplication, that for a Token and Knowlege of this our sayd Repentance, we ^{be}, and shall be ever readie, under and with the Authorities of your Majesties, to the uttermost of our Power, to do that shall lye in us, for the Abrogation and repealyng of all the sayd Lawes and Ordinaunces, made or enacted to the Prejudice of the Sea Apostolique, as well for ourselves as for the whole Bodie whom we represent. Whereupon, most humbly we beseech your Majesties, as Personages undefiled in the Offence of this Bodie towards the sayd Sea, which nevertheles God by his Providence hath made subject to you, so to set forth this our humble Suyte, as we the rather, by your Intercession, maye obtaine from the Sea Apostolique, by the sayde most reverend Father, as well peticulerly as generally, Absolution, Release, and Discharge, from all Daungers of such Censures and Sentences, as, by the Lawes of the Church, we be fallen into. And that we may, as Children repentaunt, be receyved into the Bosome and Unitie of Christes Church, so as this noble Realme, with all the Members thereof, may in this Unitie and perfect Obedience to the See Apostolique and Popes for the Tyme beyng, serve God and your Majesties to the Furtheraunce and Advancement of his Honour and Glorie. Amen.

This humble Petition, which plainly shews that there was not then one Member in either House
that

that chose to die a Martyr for Religion, being first Philip and Mary. openly read, the same was deliver'd by the Chancellor to the King and Queen, with a Request to them, that they would give it to the Lord Cardinal. Their Majesties, rising off their Seats and doing Reverence to the Cardinal, did deliver the said Petition to him. Who, perceiving the Effect thereof to answer his Expectation, received it, most gladly, at their Hands. And then, after that he had in few Words given Thanks unto God, and declared what great Cause he had, above all others, to rejoyce, that his coming from Rome into England had taken such a happy Turn; he caused his Commission to be read, by which it might appear, that he had Authority from the Pope to absolve them. The Commission was very long and large; which being ended, and all the Parliament, both Lords and Commons, on their Knees, the Cardinal, by the Pope's Authority, gave them Absolution, as follows:

OUR Lord Jesus Christ, which with his most precious Blood hath redeemed and washed us from all our Sins and Iniquities, that he might purchase to himself a glorious Spouse, without Spot or Wrinkle, and whome the Father hath appointed Head over all his Church; He by his Mercy absolve you; and we, by the Apostolique Authority given unto us by the most holy Lord Pope Julius the third, his Vicegerent in Earth, do absolve and deliver you, and every of you, with the whole Realme and the Dominions thereof, from all Hereſie and Schisme, and from all and every Judgments, Censures, and Paynes, for that Cause incurred. And also we doe restore you agayne to the Unitie of the Holy Church, as in our Letters of Commission more plainly shall appere, in the Name of the Father, the Sonne, and the Holie Ghoste. Amen.

Cardinal Pole's
Absolution.

After this general Absolution was so given and receiv'd, the King, Queen, and all the Lords, with the rest, went into the King's Chapel; and there sung *Te Deum*, with great Joy and Gladness, for this new Reconciliation.

The same Author tells us, that the News of this

Philip and Mary. flew with great Speed to *Rome*, as well by the *French King's Letters*, as by the Cardinal's. Whereupon the Pope caused several solemn Processions to be made there; particularly one, at which he and all his Cardinals were present, with the utmost Pomp and Solemnity; giving Thanks to God with great Joy for the Conversion of *England* to the Church. The Pope also did not a little commend the great Diligence of Cardinal *Pole*, and the Devotion of the King and Queen. And on *Christmas Eve*, next following, he set forth his Bulls of a general Pardon to all such as did rejoice in the said Reconciliation. And farther, because this great Work was done on St *Andrew's Day*, the Cardinal procured a Decree, or Canon, to be made in the Convocation of Bishops and Clergy, that from thenceforth, the Feast of St *Andrew* should be kept in the Church of *England*, for a *Majus duplex*, as the Ritual calls it, and celebrated with as much Solemnity as any other in the Year (*f*).

We have chose to extract this whole Affair at large out of the Co-temporary Historians, before-mentioned, confirmed by the *Journals* of both Houses, as the fairest Way to lay this important Business before the Publick, at this Time. Every one is at Liberty to make their own Animadversions upon it, since it is a Turn not to be parallel'd, in the History of this or any other Kingdom: And yet is so little taken Notice of by Mr. *Rapin*, that he has curtail'd this whole Account in the Compass of a Dozen Lines, for Reasons very obvious to guess at (*g*).

The next Thing the Parliament went upon was to testify their grateful Sense of the Cardinal's Abolution. And accordingly, on the 6th of *December*, a Committee of six Peers and three Bishops were appointed to confer with certain of the Lower House, for the drawing up a Bill, touching the Repeal of certain Statutes.

This

(*f*) *Heylin's Queen Mary*, p. 42.

(*g*) *Rapin*, Vol. II. Pag. 49.

This Conference was carried on till the 20th, and on that Day a Bill was read the first Time, in the House of Lords, with this Title, *A Bill for the Repeal of certain Acts made against the Supremacy of the See of ROME.* It was read a second Time on *Christmas-Day*; a Day we have never found a Parliament sitting on before; but it may be supposed that they thought they could offer no higher Oblation to *Christ*, on that Festival, than to repeal those Laws which had shut his *Vicar* out of this Kingdom. No other Business was done on that Day. On the 26th of *December*, the Bill was read a third Time, and passed with the Consent of the whole House, the Bishop of *London* only dissenting; the Reason of which will appear in the Sequel. The Title to the Bill on its passing this House, was, *A Bill for repealing all Statutes, Articles, and Provisoes, made against the See Apostolique of Rome, since the 20th Year of King Henry the Eighth; and for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity.*

Philip and Mary.

All Acts, against the Pope, repealed.

The Commons took less Time to consider of this Bill; tho' some Alteration was made by them in it. For, on the 4th of *January*, the Bill was returned to the Lords, with two new Proviso's added thereto. They sent also a Request, That two Clauses, containing twenty Lines, concerning the Bishop of *London* and the Lord *Wentworth*, &c. should be clearly put out. Whereupon the Clauses were read, and one of them, by reason of the Penning, being disliked by the House, another to the same Effect was drawn; which being three Times read, was agreed unto by the whole House, except the Viscount *Montacute*, and the Bishops of *London* and *Coventry*, who dissented. Then the Bill was sent again to the Commons, where being also thrice read, and agreed unto, it was brought up once more, as an Act fully assented to by both the Houses. The *Journal* takes Notice, that the twenty Lines of the Lord *Wentworth's* Proviso, relating to some Lands he had from the Bishoprick of *London*, were not eras'd, nor taken out of the Act; but that the Chancellor, in the Sight of all the Lords,

Philip and Mary. with a Knife, cut them out of the Parchment; saying, *Now, I do rightly the Office of a Chancellor (g).*

It is not mentioned in the *Journal*, that this extraordinary Amputation was done by any Order of the House; but it must be supposed so; otherwise, it cannot be thought the Parliament would have consented to so unlimited a Power in the Lord Chancellor, as to raze or cut out Proviso's at his own Pleasure.

The Purport of this Act was to declare their former Schism from the See of *Rome*, and their Reconciliation to it now; and, upon which, all Acts passed, since the 20th of *Henry VIIIth*, against that See, were particularly enumerated and repealed. And, in order to remove all Grudges that might afterwards arise, the Parliament desired the Lord Cardinal to intercede with the Pope, that the following Articles might, by his Authority, be established.

I. 'That all Bishopricks, Cathedrals or Colleges, now settled, might be confirmed for ever.'

II. 'That Marriages, made within such Degrees as are not contrary to the Law of God, but only to the Laws of the Church, might be confirmed, and the Issue by them declared legitimate.'

III. 'That all Institutions into Benefices might be confirmed.'

IV. 'That all judicial Processes might be also confirmed.'

V. And, lastly, 'That all the Settlements of the Lands, belonging to any Bishopricks, Monasteries or other Religious Houses, might continue as they were, without any Trouble by Ecclesiastical Censures or Laws. It was also declared, That all Suits about these Lands were only to be in the Queen's Courts, and not in the Ecclesiastical; and if any should,

(g) Alluding, by way of Pun, we suppose, to Cancelling of Writings; but *Chancellor*, from the *Franco-Gaulic*, *Chancelier*, has a quite different Signification. *Nomen inde accepit quod olim stare sit solitus intra Cancellos, ad accipienda eorum Desideria, qui ad Principum Supplicationes suas per illum deferri cupiebant.*

Francisci Junii Etymolog. Anglic. sub Voce Chancellor

should, upon the Pretence of any Church-Authorities, disturb the Subjects in their Possessions, they were to incur a *Premunire*.^a It was declared, in this Act, also, That the Title of *Supream Head* never of Right belonged to the Crown; yet all Writings wherein it was used, were still to continue in Force; but, that hereafter, all Writings should be of Force, in which, either since the Queen's Coming to the Crown, or afterwards, that Title should be, or had been, omitted. It was also declared, that Bulls from *Rome* might be executed: And for encouraging any to bestow what they pleased on the Church, the Statutes of *Mortmain* were repealed for twenty Years to come.

We have now given a pretty large Abstract from this remarkable Statute of Repeal; the Act itself is very long, containing an hundred and ten Clauses, or Sections, as appears in the printed Book of Statutes. Upon the whole, it shews, plainly, that the Church and Abby-Lands were not then redeemable by a Popish Prince, even so near their first Alienation: And, further, that these Lands were the real Bait which drew on the *Reformation*. For, it is plain, by the Conduct of both Lords and Commons, in this Parliament, that let them have but Possession of these Lands, and they cared not a Straw what Religion was uppermost. Since, now, the Pillars of the *Reformation*, which had been above thirty Years in erecting, were, by this Queen and her Parliament, thrown down in two.

We are told, by one Historian (*b*), that the Bottom of the Pope's Indulgence, or Dispensations of these Abby-Lands, was, that the Parliament should give him an Equivalent in restoring to him his Supremacy and Authority over the *English* Church. That even whilst this Bill was under Debate, the Parliament dispatched an Express to *Rome*, acquainting the Pope, plainly, that both Lords and Commons would grant nothing in his Behalf, unless he would confirm their Purchases of Abby and

But the Purchase of Abbey-Lands confirm'd.

(*b*) *Styke's Ecclesiastical Memorials*, Vol. III. Pag. 161.

Philip and Mary, Chauntry Lands. So a fair Bargain, adds he, was driven between them.

Dr *Heylin* remarks, 'That the Queen had neither Eloquence to persuade, nor Power enough to awe the Parliament to this Concession. But, adds he, nothing hindered the Design more than a general Fear, that if the Popes were once restored to their former Power, the Church might challenge Restitution of their former Possessions. Do but secure them from that Fear, then Pope and Cardinals might come, and welcome. And, he observes, they had a sufficient Security for their Pannicks, by a Promise underhand, both from the King, Queen, and Cardinal *Legate*; who knew right well, that the Church-Lands had been so chopped and changed by the two last Kings, as not to be restored without the manifest Ruin of many of the Nobility, and most of the Gentry, who were invested in the same (i).'

Lastly, the co-temporary Historian, before quoted, tells us, that the Pope's most liberal Bull, as he terms it, for a Dispensation of Abby-Lands, being now confirmed by Parliament; it gave great Comfort to many, who were not without just Suspicions that this new Union might cause them to lose some of their late cheap Purchases (k).

The former Acts
against Heresy,
reviv'd.

But, to shew, still more plainly, how eager the House of Commons were to remunerate the Pope and the Queen, for these extraordinary Favours; a Bill was begun and carried thro' that Body, for reviving the Statutes made by *Richard* the Second, *Henry* the Fourth, and *Henry* the Fifth, against Hereticks. It was brought into the House of Lords, on the 15th of *December*, and passed there on the 18th, *Nemine contradicente* (l). The Commons, also passed and sent up another Bill to the Lords, for an-

(i) *Heylin's Queen Mary*, Pag. 41.

(k) *Grafton's Chron. Sub hoc Anno.*

(l) The Bill to revive three old Acts, viz. *Anno 5, Richard II. Anno 2, Henry IV. and, Anno 2, Henry V.* for Punishment of Heresies, was brought in, *December 12th*, and passed on the 14th.

Commons Journal.

annulling all Leases made by married Priests. Bishop Burnet tells us, that this Bill was much argued in the Lower House, that the first Draught was rejected, but a new one approved on, and sent up to the Lords, on the 19th of December. But they, finding it would shake a great Part of the Right of Church-Leases, that were made by married Priests and Bishops, laid it aside.

By a strict Search in the *Journals* of the House of Lords, in *Die ad Diem*, for this Session of Parliament, we can find no Account of this Bill brought up to that House, neither on the Day before-mentioned nor on any other. It is true, that on the 7th of January, a Bill was sent up, by the Commons, touching Leases hereafter to be made by Spiritual Persons; which passed into a Law. But then this Statute, which is printed, does not affect married Priests more than others, and is not to the Purpose the Right Reverend Author speaks of.

By the *Journals* of the Commons, we find, that a Bill to avoid Leases made by married Priests of their Benefices, was read a first Time, on the 23d of November. That it continued before that House till December the 8th, when it had a fifth Reading. On the 19th of the same Month, a Bill with the same Title, but marked *nova*, was read only once, and sent up to the Lords, with another Bill, by Mr. S. Bourne. What became of it in that House we know not; however, this Circumstance serves the Prelate to make the following smart Reflection:

‘ Thus did this servile and corrupted House of Commons run so fast, that the Bishops themselves were forced to moderate their Heats. They all understood how much the Queen was set upon having the Church raised as high as could be, and saw there was nothing so effectual to recommend any to her Favour as to move high in these Matters. And tho’ their Motions were thought too violent, and rejected, yet their Affections were thereby discovered, so that they knew they should be looked on as Men deeply engaged in these Interests. (m).’

ABill

Philip and Mary. A Bill for making certain Offences, there specified, to be Treason; and, also, for the Government of the King's and Queen's Majesties Issue, had been debated by the Commons, for several Days. *January* 14th, it was read a fourth Time in that House; was passed and sent up to the Lords, by Mr Comptroller, where it was made a Statute. The Act sets forth, 'That it shall be High Treason to compass

New Acts, relating to Treason; 'the Death of the King or the Queen, or to deprive either of them of the Kingly Honour of this Realm; or to assert that any other than they, or the Heirs of her Body, ought to be King or Queen. It was also enacted, That since the Parliament had petitioned the King, that if the Queen died without Issue, he would take on him the Government of them till they came of Age, to which he had assented; therefore, if the Queen died before her Children came of Age, the Government of the Kingdom should be in the King's Hands; if it was a Son, 'till he was eighteen; if a Daughter, fifteen Years of Age; and, in all that Time, the conspiring his Death was to be Treason. All Witnesses were to be brought before the Parties accused; and none were to be tried for any Words, but within six Months after they were spoken.'

To Traiterous Words;

On the last Day of the Session, a Bill was brought up from the Commons, entituled, *An Act for the Punishment of Traiterous Words against the Queen's Majesty's Person*. It seems that Information had been given that some Heretical Preachers had prayed in their Conventicles, *that God would turn the Queen's Heart from Idolatry to the true Faith, or else shorten her Days, and take her quickly out of the Way*(n). All, therefore, that so prayed for taking away the Queen's Life, their Procurators and Abettors

(n) The Case was this: One *Rose*, a Clergyman, and about thirty honest Citizens more, as *Foxe* calls them, were apprehended in a Meeting-House, in *Bow Church-Yard*, and committed; *Rose* was proved to have made use of this Expression in his Prayer.

Abettors, should be adjudged as Traitors. But, if Philip and Mary. they shewed themselves penitent for such Prayers, they were not to be condemned of Treason, but put to some corporal Punishment, at the Judge's Discretion. It is remarkable, that this Bill was passed in great Haste; for it was thrice read in the House of Lords, on the 16th of *January*, the Day the Parliament was dissolved.

The last Act that we shall particularly speak of is entituled, in the *Statute Books*, *An Act, for the Punishment of seditious Words and Rumours*. ^{And seditious Rumours.} By this it was ordained, that the Statutes of the 33d of *Edward I.* and the 5th of *Richard II.* to the foregoing Purpose, should be confirmed. ' That Justices of ' the Peace, in every Shire, City, &c. shall have ' Authority to hear and determine the said Offences, ' and put the said two Statutes in Execution. If ' any spread such Reports of the King or Queen, ' they were to be set on a Pillory, and pay 100 l. ' or have their Ears cut off, and be three Months ' Prisoners. They were also to pay 100 Marks, ' and suffer one Month's Imprisonment, or lose ' one Ear, though they had Authors for these ' Reports, if they spoke them maliciously. If any ' shall do it by Book, Rhime, Ballad or Letter, he ' shall have his Right Hand stricken off. And, ' lastly, if any Person, being once convicted of ' the Offences aforesaid, do afterwards offend, he ' shall be imprisoned during Life, and forfeit all his ' Goods and Chatels. Provided, always, that they ' be proceeded against within three Months after the ' Words so spoken.'

In the printed Book of *Statutes*, only seventeen Acts are given for this Session; in the *Journals* are the Titles of twenty-one. The Reason is, That the private Acts are not taken Notice of in the *Statute Books*. What are here, to be added, besides the Restitution in Blood of Cardinal *Pole*, is one for reversing the Attainder and Outlawries of *Richard Pate*, *William Peyto*, and others. With that for the Confirmation of the Attainders of the late Duke of *Suffolk*,

Philip and Mary. *Suffolk, &c.* mentioned in the Course of the last Parliament. *Richard Pate* had been attainted under *Henry VIII.* for taking the Bishoprick of *Worcester* from the Pope, and excepted out of every general Pardon since; but had now his See of *Worcester* restored to him. *William Peyto*, a *Carthusian* Monk, was attainted, and forced to fly the Realm, under the same King, for publicly defending, in his Sermons, Queen *Katherine's* Cause against *Henry*.

There was a Bill passed, and sent up by the Commons to the Lords, to punish the Absence of the Knights and Burgesies of Parliament, in the Time of Parliament; but after the first Reading it was laid aside; tho' for what Reason we know not. This Bill was brought in every Parliament during the last King's Reign and this, but never passed. Lastly, an Act was made, confirming that of the 22d of *Henry VIIIth*, which required Persons calling themselves *Egyptians*, [*Gipsies*] upon Pain of Forfeiture of their Goods, to depart the Kingdom. The present Act made it Felony for any *Egyptian* to remain a Month in *England*; and forbids the bringing them into the Realm under the Penalty of Forty Pounds. But, notwithstanding this, and many more severe Acts, made since, against this Set of Vagabonds, they have never been clearly rooted out to this Day.

The Prime Minister, *Gardiner*, having now, to his no small Satisfaction, carried all his Schemes through both Houses, for the Restoration of the Church, and Security of the Government, thought proper to put an End to this Parliament. Accordingly, on the 16th of *January* (o), the Queen came to the House, and having sceptered the Acts, the Lord Chancellor, by her Majesty's Command, dissolved it. But we must not omit that the Day before this Dissolution, a general and solemn Procession was made through the City of *London*, from *St. Paul's*, to give God Thanks for their Conversion to the *Catholic* Church. Wherein were ninety Crosses,

(a) *Foxe*, *Heylin*, and *Collier* make it the 26th, but the *Statute-Books* and the *Journals* say the 16th.

Crosses, one hundred and sixteen Priests and Clerks, Philip and Mary. each attired in his Cope; and after them eight Bishops in their *Pontificalibus*, followed by Bonner, Bishop of *London*, carrying the *Pix*, under a Canopy; and attended by the two Houses of Parliament, the Lord Mayor, Aldermen, and Companies in their several Liveries. After the Procession was ended, they all returned into the Church of *St. Paul*, where the King and Cardinal, together with the rest, heard Mass, for a Conclusion of the whole Solemnity (p).

Another Matter, of a very extraordinary Nature, happened in this Parliament; and which we have not met with the like before in the Course of this History. This was a voluntary Secession of some Members of the House of Commons, who actually left the House, when they saw the Majority inclin'd to sacrifice every Thing to the Ministry. Lord Coke, in order to do Honour to their Memories, has handed down their Names, as follows, to Posterity (q).

Several Members of the Commons leave the House.

Thomas Denton, Com. Ox.	William Bainbrigge.
on.	John Eveleigh.
Henry Cary.	Nicholas Adamps, de Dart-
Richard Ward.	mouth-Clifton-Harneys,
Edmund Plowden, de Tib-	Com. Devon.
mersb, Com. Berks.	Richard Phelips.
Henry Chiverton.	Anthony Dylvington.
Robert Brown.	Andrew Hoord.
John Courke.	Christ. Hoel, Com. Dor-
John Pethebrige.	set.
John Melheaws.	John Mannoeh.
— Courtney.	Thomas Phelips.
Ralph Mitchel.	William Randel.
Thomas Matthews.	John Moyne.
Richard Brassey.	Hugh Smith.
Thomas Massey.	Roger Gerard.
Peter Fretchwell.	Ralph Scroope.
Henry Vernon, de Syd.	Thomas Moor, de Hum-
bery, Com. Derby.	bleton, Com. Bucks.
William Moor, of Derby.	William Read.

Henry

(p) Heylin's *Queen Mary*, Pag. 44.

(q) Coke's *Instit.* Part IV. P. 17. &c. See also *Strype's Memo-*
rials, Vol. III. p. 165.

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Philip and Mary. *Henry Mannoch.* *Nicholas Debben.*
John Maynard, de St. Al- Philip Tirwhit.
ban.

We are told, by the same Authority, that the Court resented this Separation of the Members very ill; and ordered *Edward Griffith, Esq;* the Queen's Attorney-General, to indict them in the *King's Bench*. On an Information being preferred against them, there, for departing without Licence, contrary to the King and Queen's Inhibition, in the Beginning of the Parliament; six of these Members were so timorous as to submit to the Mercy of the Court, and paid their Fines; tho' whether large or small appears not. All the rest, among whom was that famous Lawyer *Plowden*, traversed; but Judgment against them was prevented by the Queen's Death.

For which they
are indicted,

The Writ of Information against these Parliament-Men, ran in these Terms, *viz.* ' *Quod inhibitum fuit, [a Rege et Regina in eodem Parlamento] quod nullus, ad idem Parlamentum summotus, et ibidem interessens, ab eodem Parlamento, absque speciali Licentia, dictorum Dominorum Regis et Reginae, et Cur. Parliamenti prædicti. recederet, seu seipsum aliquo Modo absentaret.* And that these Men appeared at this Parliament, and were there present. Notwithstanding, lightly esteeming the Inhibition of the King and Queen, and having no Regard to the Commonweal of this Realm of *England*, afterwards, namely, *Jan. 12*, the first and second Year of this King and Queen, and during the Parliament aforesaid, they departed without Licence, in manifest Contempt of the King and Queen's Command and Injunction; to the great Detriment of the Commonweal of this Kingdom, and to the pernicious Example of all other.'

But this Complaint against these Members, ought not to be brought before any other than the Court of Parliament itself. For this great Lawyer argues, 'That the High Court of Parliament subsisteth by its own Laws and Customs. And it is both

both a Law and Custom of Parliament, that all weighty Matters moved for, concerning the Peers or Commoners in Parliament assembled, ought to be adjudged and determined by the Court of Parliament, and not by either the Civil or Common Law of the Realm. Also, by another Law or Custom of Parliament, the King cannot take Notice of any Thing said or done in the House of Commons, but by the Report of that House; every Member of which, having a judicial Place, can be no Witness. Our Lawyer concludes his Reflections on this Case, with this Remark, 'That these poor Commons, Members of the Parliament, *in Diebus illis*, had no great Accord to continue in Parliament, but departed.

To proceed with the Thread of our History, and the Consequences of the last Parliament: The Reader may observe, that in one of the Acts before mentioned, for limiting of Treasons, Provision is made for the Government of the King and Queen's Majesties Issue. About this Time it was, that the Queen had great Suspicion of her being with Child; and, as it was made public, great Rejoicings were amongst the *Catholicks* here, as well as over *Europe*, for a Blessing which was likely to continue and establish that Faith in this Kingdom. Bp *Burnet* tells us, that the first Emotion the Queen felt, when she thought a Child was quickening in her Belly, was, when the Lord Cardinal *Pole* made his Oration to the Parliament, at the Beginning of the last Session. Some not sticking to say, on this joyful Occasion, that like as *John Baptist* leaped in his Mother's Belly at the Salutation of the *Virgin*, so here a happy Omen followed, on this Salutation from *Christ's* Vicar on Earth. But this Miracle never came to Perfection; for, after more Months allow'd for this Pregnancy than Nature requires, it all proved abortive, and terminated in the Discharge only of some false Conception. And, what turned the Tables entirely against the *Catholicks*, in this great Point, it not only proved that the Queen was not with Child at this Time; but, that without a

Philip and Mary.

The Queen supposed to be with Child.

Miracle

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Philip and Mary. Miracle, it was impossible she should ever have any.

This was a Handle which the *Protestant* Writers of our *English* History, &c. took hold of, to ridicule the Queen and her *Catholic* Ministry, for to shameful an Imposition. One old Historian (r), who lived in this Reign, is so explicate in this Affair, as to relate how far the Parliament was deluded into this Belief; and to give us an Abstract out of the Act itself, to shew the Credulity and Folly of a *Papist* Parliament. He begins with telling us, 'That amongst the Number of those Members, who carried *Spanish* Hearts in *English* Bodies, there was one Sir Richard Southwell; who being in the Parliament-House when the Members were busy about some Affairs of Importance, suddenly rose up, and cried, 'Tush, my Masters, why talk you of these Matters? I would have you take some Order about our young Master, who is now coming into the World apace, lest he find us unprovided, &c.' Which Words, says our Authority, from a Courtier, with the Letters of the Privy Council about it, gave the Parliament such an Assurance of the Queen's being with quick Child, that they immediately drew up a Bill for its Maintenance, Support and Government; and, as it pass'd into an Act, for greater Evidence he has given us the Substance of it. It is somewhat surprising, that neither Dr Heylin, Bp Burnet, or any other *Protestant* Writer of our *Reformation*, takes Notice of this Act, except in what is given before; but, as it is strictly Parliamentary, it must find a Place in these Inquiries (s).

The Parliament's Address thereupon. **A**lbeit we the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, have firm Hope and Confidence in the Goodness of Almighty God, that like as he hath hitherto miraculously preserved the Queen's Majesty, from many great imminent Perils and Dangers;

(r) Foxe's *Acts and Monuments*, Vol. II. p. 1345.

(s) Hellinghead has copied this whole Affair *verbatim*, out of Foxe. Chron. p. 1124.

‘ Dangers ; even so he will, of his infinite Good-
 ‘ ness, give her Highness Strength, the rather by Philip and Mary.
 ‘ our continual Prayers, to pass well the Danger of
 ‘ Deliverance of Child, wherewith it hath pleased
 ‘ him (to all our great Comforts) to bless her : Yet
 ‘ forasmuch as all Things of this World be uncer-
 ‘ tain, and having before our Eyes the dolorous
 ‘ Experience of this inconstant Government, dur-
 ‘ ing the Time of the Reign of the late King *Ed-*
 ‘ *ward* the Sixth, do plainly see the manifold In-
 ‘ conveniences, great Dangers and Perils, that may
 ‘ ensue in this whole Realm, if Foresight be not
 ‘ used to prevent all evil Chances, if they should
 ‘ happen : For the eschewing hereof, we the Lords
 ‘ Spiritual and Temporal, and the Commons in
 ‘ this present Parliament assembled, (for and in Con-
 ‘ sideration of a most special Trust and Confidence
 ‘ that we have and repose in the King’s Majesty,
 ‘ for and concerning the Politick Government,
 ‘ Order, and Administration of this Realm, in the
 ‘ Time of the young Years of the Issue or Issues of
 ‘ her Majesty’s Body to be born, if it should please
 ‘ God to call the Queen’s Highness out of this pre-
 ‘ sent Life, during the tender Years of such Issue or
 ‘ Issues, (which God forbid) according to such
 ‘ Order and Manner, as hereafter in this present
 ‘ Act his Highness most gracious Pleasure is, should
 ‘ be declared and set forth,) have made our humble
 ‘ Suit, by the Assent of the Queen’s Highness,
 ‘ that his Majesty would vouchsafe to accept and
 ‘ take upon him the Rule, Order, Education and
 ‘ Government, of the said Issue or Issues to be
 ‘ born, as is aforesaid : Upon which our Suit, be-
 ‘ ing of his said Majesty most graciously accepted,
 ‘ it hath pleased his Highness not only to declare,
 ‘ That like as for the most part his Majesty verily
 ‘ trusteth, that Almighty God (who hath hitherto
 ‘ preserved the Queen’s Majesty, to give this Realm
 ‘ so good an Hope of certain Succession in the Blood
 ‘ Royal of the same Realm) will assist her Highness
 ‘ with his Graces and Benedictions, to see the Fruit
 ‘ of her Body well brought forth, live, and able to
 ‘ govern,

Philip and Mary.

‘ govern, (whereof neither all this Realm, nay all
 ‘ the World besides, should or could receive more
 ‘ Comfort than his Majesty should and would) yet
 ‘ if such Chance should happen, his Majesty, at
 ‘ our humble Desires, is pleased and contented, not
 ‘ only to accept and take upon him the Care and
 ‘ Charge of the Education, Rule, Order, and
 ‘ Government of such Issues as of this most happy
 ‘ Marriage shall be born between the Queen’s
 ‘ Highness and him ; but also, during the Time of
 ‘ such Government, would by all Ways and Means
 ‘ study, travel, and employ himself to advance the
 ‘ Weal, both publick and private, of this Realm
 ‘ and Dominion thereunto belonging, according to
 ‘ the said Trust in his Majesty reposed, with no
 ‘ less Goodwill and Affection, than if his Highness
 ‘ had been naturally born amongst us. In Consideration
 ‘ whereof, be it enacted by the King and the
 ‘ Queen’s most excellent Majesties, by the Assent
 ‘ of the Lords Spiritual and Temporal, and the
 ‘ Commons in this present Parliament assembled,
 ‘ and by the Authority of the same, &c.’

To proceed. It is now that our *Protestant* Historians give us a whole Series of Heretical Burnings, the bare Recital whereof are sufficiently shocking without Aggravation (t). But herein the Ministry were out in their Politicks ; since the bloody Proceedings of this Time proved the greatest Support of the Protestant Cause : And *Foxe’s Book of Martyrs* being, in the succeeding Reign, placed in every Church, and almost in every Gentleman’s House in *England*, has made more Converts from the *Roman* Faith than the Bible. But at the same Time, it is no more than common Justice to observe, that in the terrible Executions this poor Bigotted Queen was guilty of, her Parliaments had an equal Share with herself.

To give a strong Instance how little the *Protestant* Cause was regarded, or the Complaints those Sufferers

(t) In *Strype’s Eccles. Memor.* Vol. III. is an Account of such as were burned for Religion in this Reign, which amounts to 288, besides those that died of Famine in sundry Prisons.

ferers made to Parliament taken Notice of, we ^{Philip and Mary.} shall subjoin the Substance of two Petitions, to both Houses, in this last Parliament, from the imprison'd Preachers, in Defence of the *Reformation*.

In the first Place, ' They intreat them to recol- ^{Petitions from the}
' lect their Severities against the Religion establish'd ^{imprison'd Pro-}
' in the two late Reigns. They put them in ^{testant Preach-}
' Mind that the Points had been settled with ^{ers.}
' great Deliberation : That the Two Universities,
' and the most considerable Persons for Learning in
' other Parts of the Kingdom had been consulted.
' That to undo what was thus unanimously agreed,
' was unserviceable to the Memories of the two
' Princes King *Henry* and King *Edward*, and a
' Blemish upon the Honour of the whole Nation :
' That great Uneasiness of Conscience, and Judg-
' ments from Heaven, must follow such Measures
' of Course. That since the discharging the true
' Religion, throwing out the Reform'd Offices,
' and bringing Superstition and Idolatry into their
' Place, all the Orthodox Preachers have been re-
' mov'd, have been harass'd and rob'd, with such
' Cruelty and Injustice, as exceeds the Barbarity of
' Turks and Infidels.

' They conjure their Majesties and the Parlia-
' ment, by every Thing sacred and valuable ; to
' consider the lamentable State of Religion, and
' how much the Nation is likely to suffer in their
' eternal Interest. They earnestly desire, there-
' fore, the Church may be retriev'd from this de-
' plorable Condition. As for themselves, they re-
' quest they may be brought before the Council, or
' Parliament ; and if they fail either in maintaining
' the *Homilies* and *Service* set forth in the late
' Reign, or in proving the Unlawfulness of the
' Liturgick Forms used at present, if they fail in
' making good either of these Points, and that by
' Catholick Principles and Authorities, they are
' willing to be burnt at the Stake, or submit to any
' other Death of Ignominy or Torture, which
' their Majesties shall appoint them.'

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Philip and Mary. Not long after they made another Address to their Majesties and the Parliament, of resembling Contents: They complain, ' They have been thrown
' out of their Estates, their Goods seiz'd, and their
' Books taken from them: That they have been
' misreported to their Majesties, reproach'd for
' Hereticks, closely confin'd for fifteen or sixteen
' Months, and not allow'd the Liberty to justify
' themselves against the Calumnies thrown upon
' them. They desire they may be brought publicly to their Answer, either before the Parliament, or such indifferent Judges as their Majesties shall appoint.

' Under such an Allowance they don't question
' their being able to throw off the Imputation of
' Heresy; to defend the *Reformation* from Point to
' Point, and shew the Excommunications publish'd
' against them of no Force; and that the Names
' of Disadvantage and Infamy belong rather to
' their Adversaries: To their Adversaries, who
' with respect to their Majesties, may rather be
' be said to stand in the Place of the *Egyptian*
' Magicians to *Pharaoh*; of *Zedekiah* and his Party
' of Prophets, to *Abah* King of *Israel*; and of *Barjesu* to the Pro-Consul *Sergius Paulus*. And lastly, they offer to justify the Doctrine and Worship establish'd in the late Reign, by Scripture and Antiquity, under the highest Penalties.'

Whether the Freedom of these Addresses gave Disgust; or the Misbehaviour of some of these People had sower'd the Humour of the Court against them, it is not known; however the Preachers met with no Encouragement, from any of the three Estates, at that Time. Mr *Collier* and other Writers, have given several Instances of the Reformers openly ridiculing, both in Words and Actions, the Popish Ceremonies and Worship.

But there is one Thing, however, greatly commendable in the Government of Queen *Mary*, which was, reviving the ancient Constitution of annual Parliaments. And, accordingly in the next Year, we find that another was called to meet at

Westmin-

Westminster, on the 21st of *October*, in the third Year of her Reign. The Queen rode to the Parliament House in an open Horse-Litter, to be seen of every one; and we are told, that she never looked more chearful, in the Judgment of all that saw her.

The *Journals* of the Lords have long omitted the Lord Chancellor's Speech at the Opening of a Parliament, as also the Formality of chusing a Speaker of the Commons; but still the Names of the Receivers and Tryers of Petitions, for the different Parts of the *English* Dominions, are given, in *French*, after the ancient Manner. And, amongst these the Petitions which were to come from *Gascoigny*, the Isles, and other Parts, long since lost from this Crown, are never omitted.

An. Reg. 2 and 3,

1555.

At Westminster.

The *Journals* of the Commons, for this Parliament, are somewhat more explicite than the other; and tells us, that the Bishop of *Winchester* opened it by a Speech, importing, that it was called for a necessary Aid to be made to her Majesty. That this House unanimously chose for their Speaker, *John Pollard*, Esq; deeply learned in the Laws of this Land. It is to be noted, that by the Authority of both the *Journals*, the Lord Chancellor *Gardiner*, Bishop of *Winchester*, appeared for the first and second Day of this Session, but no more. It seems he fell sick on the 24th of this Month, and died on the 12th Day of *November* following. Bishop *Burnet* imputes his Death to his staying over long for Dinner, the Day that *Latimer* and *Ridley* were to be burnt, 'till a Messenger should come Post to tell him that the Faggots were lighted: Which as soon as he heard, he went chearfully to his Victuals; but, at Dinner, was struck with the Illness of which he died, viz. a Suppression of Urine.

John Pollard,
Esq; Speaker.

This marvellous Tale our Prelate has retailed, from an old Wife's Story in *Foxe* (a); but has left out one Particular, that the old Duke of *Norfolk* dined with the Chancellor that Day, as *Foxe* says,

Z 2

and

(a) See the whole Story in *Foxe's Acts and Monuments*, Vol. II. p. 1622.

Edit. Lond. 1597.

Philip and Mary. and was uneasy to stay so long for his Dinner. It is somewhat strange that a Man should be uneasy for his Dinner above a Twelvemonth after he was dead. For this old Duke died at *Framingham* Castle, in *September 1554 (b)*, and was succeeded by his Grandson, who could be no old Duke of *Norfolk*. *Ridley* and *Latimer* died at the Stake *October* the 16th this Year, five Days before the Parliament met; and *Gardiner's* appearing in the House the two first Days of the Meeting is proved by the *Journals*, which the Bishop certainly saw but would not take Notice of, for fear of spoiling so fine a Story. Besides, we are told by Bishop *Godwin*, as zealous a *Protestant* Writer as any Man, that *Gardiner*, Bishop of *Winchester*, died of the Gout (c).

On the Death of the Lord Chancellor, it is supposed that the Lord Treasurer, the Marquis of *Winchester*, *Virtute Officii*, adjourned the Parliament from Day to Day; since there is no mention of any Commission granted for executing the Chancellor's Office. And tho' by the Negligence of the Clerks, the Adjournments are not enter'd, yet, on the last Day of the Session, we find that the Lord Treasurer, by the Queen's Command, did dissolve this Parliament.

By the Death of this great Minister, the Affairs at Court must be much embarrassed; however, the Parliament went on with their Proceedings.

The *Journals* of the Commons inform us, that *October 23*, when the Commons appeared with their Speaker, to present him to the Queen, he made an eloquent Oration. After which was read a Bull from the Pope's Holiness, confirming what Cardinal *Pole* had promised relating to the Assurance of Abby-Lands, &c. And when the Commons were retir'd to their own House, a Bill was revived concerning the Absence of Knights and Burgesses in the Time of Parliament.

The

(b) *Dugdale* says, he died *Maria 1mo*, which was *An. 1553*.

Dugd. Barn.

(c) *Godwin de Praeful. Ang.*

The next Day, after reading the aforesaid Bill Philip and Mary. again with some others, a Motion was made for a Supply to be granted to her Majesty ; and Mr Comptroller, Mr Secretary *Petre*, with eighteen more Members, were ordered to draw up a Bill for that Purpose. On the 28th, the Bill was read a first Time, for a *Subsidy* and two *Fifteenths*, but on the third Reading, *October* 30, it met with some Opposition ; and the next Day, Mr Secretary *Petre* declared to the House, That the Queen gave them Thanks for the two *Fifteenths*, but was A Subsidy. contented to refuse them ; on which the Bill for a *Subsidy*, only, was passed the Day after and sent up to the Lords.

This is all which can be gathered from the *Journals* about this Affair ; but Bishop *Burnet* is somewhat more explicite in the Matter. He tells us, ‘ That it seems the Humour of that House was now greatly changed ; for when a *Subsidy* and two *Fifteenths* were moved for there, for paying the Debts of the Crown, it was opposed with great Vehemence. It was said, that the Queen had profusely given away the Riches of the Crown to the Clergy, and then apply’d to the Laity to pay her Debts ; but why did she not rather ask it of the former ? To this it was answered, that the Convocation had given her a *Subsidy* of six Shillings in the Pound ; and that the Queen now asked, after three Year’s Reign, nothing but what she had discharged her Subjects of at the Beginning of it. The Prelate adds, that the Heats grew high in the House, on this Debate ; ’till Secretary *Petre* brought a Message from her Majesty, with Thanks to them who had first moved for two *Fifteenths*, but she now refused to take them ; on which, the *Subsidy* alone was agreed to.’ This Bill passed the House of Lords on the first Reading, which is the only Instance of that Kind we have yet met with (d). But it must not be omitted, that in drawing up this Act, an Oath which had been formerly prescribed to all

Z 3

Manner

(d) — quæ prima Vice lecta est, et, communi omnium Procerum Assensu, conclusa est.

Journ. Procer.

Philip and Mary. Manner of Persons, for giving in a just Account of their Estates, was wholly omitted; which made the *Subsidy* sink beneath Expectation. But, says *Heylin*, the Queen came to the Crown by the Love of the People, and was to do nothing to hazard those Affections she held it by (e). This *Subsidy*, according to *Stowe*, was Eight-pence in the Pound, on all those worth from five Pound to ten. From ten Pound to twenty, Twelve-pence in the Pound. And, from twenty Pound upwards, Sixteen Pence. All Strangers were taxed double (f).

Bishop *Burnet* also informs us, 'That on the 23d of *November*, a Bill for suppressing of First Fruits and Tenth, and the Resigning up all Improvements that were yet in the Queen's Gift, to the Church; to be disposed of, as the Legate thought fit, for the Relief of the Clergy, was brought into the House. The Lord's *Journals* acquaint us, that this Bill was brought into their House on the 20th, and passed there, after three Readings, on the 23d of *November*; the Earl of *Hereford* and the Lord *Cobham* dissenting. It was sent that Day down to the Commons, who kept it some Time, for it was not returned by them 'till the 4th of *December*, with a Schedule annexed to it, requiring certain Things to be amended in the Bill; which, upon Debate, were by the Lords assented to.

Bill for Restitu-
tion of Church-
Lands.

The Queen had a much greater Design which she hoped to have executed this Parliament, which was getting an Act for restoring of all such Lands to the Church as had belonged to it, and was devolved upon the Crown; and from the Crown into the Hands of private Persons, by the Fall of Monasteries and other Religious Houses, or by any other Ways or Means whatsoever. She had been tampering with some Lords about this Act, but found such a general Averseness to any Kind of Restitution in the Lay-Nobility, that she was advised to desist from that unprofitable Undertaking. Certain it is, says Dr *Heylin*, that many who were cordially

(e) *Queen Mary*, p. 53.

(f) *Stowe's Chron.* p. 627.

ally affected to the Queen's Religion, were very Philip and Mary, much startled at the Noise of this Restitution ; in-
somuch, adds he, that some of them are said to have
clapped their Hands upon their Swords, affirming,
not without some Oaths, that they would never
part with their Abby-Lands as long as they were able
to wear a Sword by their Sides (g). Which Reso-
lution being told the Queen, she thought proper to
drop that Affair, and only set them a good Exam-
ple, by giving up to the Church what was really
her own to give, the First Fruits and Tenths afore-
said ; which, as they had been settled on the Crown
by an Act of Parliament, must be released by ano-
ther. This she was so positive in doing, that when
the Affair was argued in Council, and some Lords
objected, that if such a considerable Part of the Re-
venue was dismembred from the Crown, the State
of her Kingdoms and Imperial Dignity could not
be so honourably maintained as formerly ; she is
said to return this Answer, *That she preferred the
Salvation of her Soul before ten such Kingdoms (h).*

But, notwithstanding this Bill passed the Lords
so easily, it was greatly opposed in the House of
Commons ; for, our Right Rev. Author, from the
Journals, tells us, That on the 19th of November,
the Queen sent for that House, and told them, ' She
' could not, with a good Conscience, take the
' Tenths and First Fruits of Spiritual Benefices ; it
' was a Tax her Father laid on the Clergy, to sup-
' port the Dignity of *Supream Head* ; of which,
' since she was divested, she would also discharge
' the other.' Then the Legate made a Speech, to
shew that Tithes and Impropriations of Spiritual
Benefices were the Patrimony of the Church, and
ought to return to it ; and upon this the Queen de-
clared, that she would also surrender up those
Matters

(g) Heylin's *Queen Mary*, p. 53.

(h) *Grafton* writes, that the Queen did this by the Persuasion of
the Cardinal, and some other Clergy ; who told her, That she
could not prosper whilst she kept in her Hands any Possessions of the
Church. But, says he, the Resignation of them was a great Dimi-
nution to the Revenues of the Crown.

Grafton's Chron. sub hoc Anno.

Philip and Mary, Matters to the Church. Whilst the House of Commons were before her Majesty, one *Storey*, a Member of that House, falling on his Knees, told the Queen, that the *Speaker* did not open to her their Desire that Licences might be restrained. This was a great Affront to the Speaker, who, when they were returned, complained of it to the House; but *Storey* confessing his Fault, and the House, says *Burnet*, knowing, *that he spoke the Words from a good Zeal*, forgave him. This very Man is mentioned before, as being sent to the *Tower*, for using great Liberty of Speech against King *Edward* the Sixth and the Protector, in his Opposition to the Act for the first Book of the *English* Common-Prayer. He was now on the other Side of the Question, in opposing Licences from *Rome*; and *Burnet* himself says, that this Man of *good Zeal*, was afterwards condemned for Treason, in the Reign of Queen *Elizabeth*, as will appear in the Sequel (i).

The same Author tells us, That it was once thought proper that the Surrender of Improvements should be left out of this Bill; since, as was urged, the Queen might do that as well by Letters Patents; and if it was put in the Bill it would raise great Jealousies; for it would be understood that the Queen did expect that her Subjects should follow her Example. The Tithes, however, were resolved to be recovered to the Church, so they were put in; tho' all, says our Authority, were long argued in the House; some saying that the Clergy would rob the Crown and the Nation both; and that the Laity must then support the Dignity of the Realm. At last, it being particularly committed to Sir *William Cecil* and others, to be, by them, examined; on the 3d of *December*, the House divided upon it, and the Bills were carried, on a Majority of 193, against 126. To conclude this Affair, it may not be amiss to give the Preamble to this Bill, to set the Matter in as clear a Light as possible; and, especially, since that Act itself is not printed amongst the Statutes of this Parliament.

By

(i) *History of the Reformation*, Vol. II. p. 322, &c.

By it is declared, ' That the Payment of First-Fruits and Tenths was extinguished : And all Rectories, Benefices impropriate, Glebe-Lands, Tithes, Oblations, Pensions, &c. vested in the Crown since the twentieth Year of King *Henry* the Eighth, are given up to the Church for the Augmentation of the Livings to which they formerly belonged, for the Advantage of other poor Cures, for the furnishing Preachers ; for the exhibiting Scholars : And the Disposal of these Revenues thus restor'd, is left to the Discretion of the Lord Legate Cardinal *Pole*. But then there was a Proviso for saving the Right of the Subject, who had any Interest in these Estates granted from the Crown. There is likewise a Clause for exonerating the King and Queen and their Successors, from the Payment of Pensions and Annuities to the Monks : To which are added Corrodies, and Fees, which for the future were to be paid out of the Tenths, First Fruits, &c. without any Burthen upon the Crown. There is another Proviso, by which the Patronage of these Impropriations belonging to the Crown is still reserv'd. And because some Temporal Estates had been intermix'd, and leas'd out by the Crown with these Tenths, Impropriations, &c. 'Tis enacted, that Commissions shall be awarded out of the Exchequer to fix different Persons, three of the Spirituality, and three of the Temporality, to call twelve Men, of Credit and Substance, before them : Twelve Men inhabiting in the Neighbourhood where these Estates lie ; and to oblige them upon Oath to distinguish and sever the Glebe-Lands and other Spiritual Possessions, from the Temporal Estates, and to rate and apportion how much Rent shall be payed for the one and the other.'

The Affair of Licences, mentioned above, occasioned another Mistake in Bishop *Burnet* ; for he tells us, that they were Licences from *Rome* that were to be restrained. Whereas, these Licences were to dispense with some Ecclesiastical or other Laws of this Land. As Licences to great Persons to eat Flesh

Philip and Mary. Flesh in *Lent*, or on other Fasting Days, for themselves, and as many as should come to their Tables. Also, Licences to some to give the same to their Servants to shoot in Crofs-Bows, or Hand-Guns, at any Fowl; or at any Manner of Deer, red or fallow. Licences for Merchants to import forbidden Merchandize. Many such Kind of Licences may be met with amongst the Records of those Times. A Bill was calculated to make void all such Monopolies as were granted by the Queen, her Brother or Father; but it was laid aside at the second Reading.

There were several other Bills which were read in the House, but did not pass into Acts. Amongst which, there was one for incapacitating of several Persons from being Justices of Peace, which was cast out by the Commons, at the first Reading. This was calculated chiefly, says *Burnet*, against such as were suspected of too much Remissness in punishing of Hereticks. But the Commons would do nothing to encourage that; nor was there any Occasion for it, since it was in the Queens Power to leave out of the Commission who she thought fit; but, adds he, it shewed the Zeal of some, who had a Mind to recommend themselves by such Motions. But how temperate soever this House of Commons might be in these Affairs, the two preceeding ones were warm enough in their Zeal; since they revived all the Bloody Laws, against Hereticks, which were made for some Centuries past.

November 13, was read in the House of Lords, for the Third Time, a Bill against such Persons who were gone out of the Realm, without the Queen's Licence, or that contemptuously shall make their abode there. This was levelled at the Dukes of *Suffolk* and other Persons, the greatest and wealthiest of those who favoured the *Reformation*; who had retired abroad to save their Consciences and Estates. They were required to return, under severe Penalties; but the Commons, says *Burnet*, thought they had, already, consented to too many severe Laws of that Sort, and therefore rejected this Bill.

Another

Another Bill against *Ann Caltherp*, Countess of *Sussex*, who had left her Husband, and gone abroad, on a quite different Occasion than Religion; for she lived in *France*, in open Adultery, and had several Children to others. The Bill was to deprive her of her Jointure, in case she would not repair into this Realm, within a Time limited, and make her Purgation before the Bishop of her Diocese. But tho' this seeming reasonable Bill passed the Lords, it was rejected by the Commons; and yet, in the next Parliament the Commons first carried it, and then it was passed against her.

There are twenty-three Acts and Titles of Acts, in the printed Statutes, passed this Session; in the Lords Catalogue, twenty-four. Some of which are for the Encouragement of Trade and the Woolen Manufacturies. And one, particularly, to inhibit all Purveyors of the Crown from taking up any Provisions within five Miles of *Oxford* or *Cambridge*; by which Means, those Markets were more plentifully served with all Sorts of Provisions, and at more reasonable Rates.

December the 9th, the Queen came to the House to pass the Bills; after which, the Marquess of *Winchester*, Lord High Treasurer, the Chancellor being dead, by her Majesty's Command, dissolved this Parliament.

We have now a Gap of two Years, before we meet with another Parliament; in which Time many various Affairs of State happened in *England* and *Europe*, which our larger Historians are full of. One Accident, however, deserves Notice, and that was the Loss of the important Town of *Calais*, in *France*, from the *English* Crown. It was taken by the Duke of *Guise*, about the Beginning of the Year 1558, after it had been some Centuries annexed to these Dominions; and was not only the Key to *France*, but the Staple of the *English* Trade into, almost, all foreign Parts. The Loss of this Place was a great Disgrace to Queen *Mary* and her Ministry; since it was evidently lost for want of due Care; and made the People judge that the Queen had

Philip and Mary.

The Loss of Calais.

Philip and Mary. had put the Government into the Hands of Priests, who understood not War, nor were sensible of the Honour of the Nation. About this Time, however, a Parliament had been called, tho' we cannot find when the Writs were dated, to meet at *Westminster*, on the 20th of *January*, in the 5th and 6th Year of the Reign of *Philip* and *Mary*. In the List of the Peers, the new-created Abbot of *Westminster*, and the Prior of *St. John of Jerusalem*, are now included; and took their Places, in that House, accordingly.

Tho' we have no initiating Speech, from the Lord Chancellor, at the Opening this Parliament, yet the *Journalist* hath given us the Ceremony of presenting the Speaker of the House of Commons to

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1558.
At Westminster.

William Cordell,
Esq; Speaker.

the Queen; who was *William Cordell*, Esq; Master of the Rolls; whose Excuse, being not allowed, he was admitted, with the usual Protestation. But the *Journals* of the Commons acquaint us, that *Nicolas Heath*, Archbishop of *York*, then Lord Chancellor, declared, that this Parliament was called for granting an Aid to her Majesty. And accordingly the first Thing that we find, worth Notice, in their Proceedings is, That on the 16th of *February*, a Bill was sent up by the Commons, for granting a *Subsidy* of one *Fifteenth*, to the Queen, by the Laity. The Clergy, in Convocation, having set a liberal Example by taxing themselves in a *Subsidy* of eight Shillings in the Pound, to be paid in four Years; which was also confirmed by Parliament. The Bill for the Lay Subsidy, &c. passed the House of Lords, *Nemine contradicente*, on the 19th of *February*, and this is all which their *Journals* say of this Matter.

Another Subsidy.

But, the *Journals* of the Commons acquaint us, That on the 24th of *January*, the Lords sent a Message to that House, desiring that the Speaker, with ten or twelve more, would meet with a Committee of the Lords; which consisted of three Earls, three Bishops and three Barons. The Commons consented to this Proposal, and agreed that twenty-one of their House should meet the Lords, and confer

fer on the Queen's Wants and the State of the Na- Philip and Mary.

tion. This Conference continued some Time ; for it was not till the 4th of *February*, that a Bill was first read for a Grant of a *Subsidy* and two *Fifteenths* and *Tenths*, as agreed on by the Lords and Commons in a Committee. The Bill was read a second Time the next Day ; but the Day after, we are told, many Arguments were used about it ; and, it is probable, that the Speaker was desired to know of the Queen whether a less Supply would not satisfy. For, *February* 10th, the Speaker acquainted the House, ' That he had opened unto the Queen's Majesty his Commission, touching the Grant of ' the Subsidy ; which the Queen thankfully took, ' giving them present hearty Thanks, and all the ' Realm.' So a Grant of a *Subsidy* and one *Fifteenths*, only, *February* 16th, was all that was given at that Time ; the *Subsidy*, as the same Authority informs us, consisted of four Shillings in the Pound, on Lands and two Shillings and eight Pence, from five Pounds upwards, on Goods to be made before the 24th of *June* next.'

There were two Bills brought into the House of Lords, for regulating the Officers, or Collectors of the Subsidies, or Customs ; and for their true answering the Debts due to the Queen on those Customs. But these, tho' they passed the Upper House, were laid aside by the Commons. The Speaker informing them, that, by a Message from the Queen, he was told these Collectors had accounted for their Receipts, and therefore it was her Majesty's Pleasure they should proceed no farther with those Bills.

A Design for carrying on the War briskly against France, seems to have been entered into this Parliament. An Act was passed for the raising of good War with France. and able Men and taking of Musters. Another for appointing what Number of Men, Horses, and Armour each Man was obliged to find. An Enquiry was to be made into the Behaviour of *Frenchmen*, being Dennisons of this Kingdom. And we find that a Bill passed the House of Lords for prohibiting the

Philip and Mary. the Importation of all *French* Wines and Merchandizes ; but the Commons rejected it, as an Hindrance to Trade.

A Bill for the Repeal of divers Letters Patents, making Dennizens of several Persons, born under the Obedience of the King of *France* ; another, for assigning a yearly Payment from *Frenchmen*, inhabiting within this Realm, towards the Fortification of several Towns ; and, another Bill for the Expulsion of all *Frenchmen* out of the Realm passed the House of Lords, but was rejected by the Commons. The latter on a near Division, 106 against 111. All these shew that the Loss of *Calais* occasioned a great Resentment in the *English* Parliament ; and that the Nation were then not without great Fears and Apprehensions ; as they might well be ; that important Port being taken, a *French* Army so near, and at open War both with *France* and *Scotland*.

Towards the End of this Session, a Bill was brought in for the Confirmation of the Queen's Letters Patents. It was read a third Time in the House of Lords, *February* 26th, and was passed ; the Earls of *Oxford*, *Arundele*, and *Derby*, with the Lords *Cobham* and *Mountjoy* dissenting. It was returned by the Commons, on the 7th of *March*, the last Day of this Session, with certain Amendments. This Bill was designed chiefly for confirming the Religious Foundations the Queen had made. Whilst it was depending in the Lower House, one (k) Mr *Copley*, a Member, happened to say, in the Debate, ' That he did not approve of such a general Confirmation of all she had given, or might give ; lest, under Colour of this, she might dispose of the Crown from the right Heirs to it.' The House was much offended at this ; and *Copley* was made to withdraw ; he was voted guilty of great Irreverence to the Queen ; and tho' he asked Pardon, and desired it might be imputed to his Youth, yet they kept him in the Serjeant's Hands, till they had sent to the Queen to desire her to forgive his Offence.

(k) *Burnet* erroneously calls him *Coxley*.

fence. She returned for Answer 'That, at their ^{Philip and Mary.} Request, she readily forgave him; but, desired 'them to examine him, from whence that Motion 'sprung?' There is no more entered in the *Journal*, about this Affair; and it seems to have been drop'd; but, it shews, says Bishop *Burnet*, a proper Resentment in the House, as well as their high Esteem for the Queen, and their Resolution to have the Crown descend, after her Death, to her Sister (1).

An Act was made in this Parliament, also, which was read two or three Times in the last, 'That Accessories to Murder and diverse Felonies should not have their Clergy; to which was added, at first, That they might not have the Benefit of Sanctuary. But because this Addition might hinder so useful a Bill from passing, the Churchmen being very tenacious of their Privileges, it was thought convenient to leave it out. And a seperate Bill brought in concerning Sanctuaries, which was wholly to take them away. Against this, *Feckenham* then Abbot of *Westminster*, for the Sake of his Church's Privileges, in that Particular, made much Opposition, and desired to be heard by his Council. It was ordered, that he should come down to the House the next Day, and they should be heard. Accordingly, the famous Mr. *Plowden*, and Dr. *Story*, a Civilian, appeared for him, and produced several ancient Grants from the Kings of this Realm, and also the Queen's Grant for the Confirmation of his Sanctuary. And then they desired the House to consider for the Preservation of the same. It is probable that the whole Bill was let drop, for we hear no more of it, and it is certain that it did not pass into a Law in this Reign.

An Act, inflicting five Years Imprisonment, or a large Fine, on all those concerned in conveying away and marrying young Heiresses, under sixteen Years of Age, passed this Session and is printed at length amongst the *Statutes at large*, Cap. VIII. An. 4th and 5th, *Philip and Mary*. It is remarkable, that

(1) *History of the Reformation*, Vol. II. Pag. 361.

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Philip and Mary. that four Lords and one Bishop dissented, at the passing this Bill. A private Act was passed for the restoring in Blood Sir *Ambrose* and Sir *Robert Dudley*, Knights, the only two surviving Sons of the great Duke of *Northumberland*. This *Robert*, in the next Reign, was the famous Earl of *Leicester*. — There was also a Dispute settled in this Parliament between the Lords *Clinton* and *Stafford*, for Preheminence of Place ; in which the former was proved to have the Preference.

On the 7th Day of *March*, the Queen came to the House of Lords and passed the Bills, Sixteen in Number, tho' the *Statute Book* only says Ten. After which the Lord Chancellor, by her Majesty's Command, prorogued this Parliament to the 5th Day of *November* next ensuing.

At which Time, being again assembled, they proceeded to Business ; which the *Journals* of the Lords inform us, was only reading some Bills, seemingly, of no great Consequence ; except one, whose Title was, ' That no Man shall print any Book or Ballad, &c. unless he be authorized thereunto by the King and Queen's Majesties Licence, under the Great Seal of *England*.' As this is the first Restraint to the Liberty of the Press, which we have yet met with, it is the more remarkable. Because it shews us, that the Art of Printing, which had not then been much more than half a Century in Use, was become so obnoxious to the Government that they were obliged to have Recourse to an Act of Parliament to restrain it. What Fate this Bill would have had in the House of Commons is uncertain ; for, at the third Reading, on the 16th of *November*, the Clerk breaks off the Lords *Journal* very abruptly. This must be occasioned by the desperate State the Queen was then in, who died the next Day, *November* 17th ; and, by her Death, this Parliament was dissolved.

This is all we can meet with, worth Notice, in the Authority above-cited ; but, the *Journals* of the Commons gives us the following Account ;

' On

An.Reg. 5 and 6.

1558.

At Westminster.

Bill for Restraint
of the Press.

On the 7th of *November*, the Queen sent for Philip and Mary, the Speaker of the House of Commons, and ordered him to open to them the ill Condition the Nation was in; for, though there was a Treaty begun at *Cambrai*, yet it was necessary to put the Kingdom in a Posture of Defence, in case it should miscarry. But, the Commons were so dissatisfied, that they would come to no Resolution. So on the 14th Day of *November*, the Lord Chancellor, the Lord Treasurer, the Duke of *Norfolk*, the Earls of *Shrewsbury* and *Pembroke*, the Bishops of *London*, *Winchester*, *Lincoln* and *Carlisle*, the Viscount *Montacute*, the Lords *Clinton* and *Howard*, came down to the House of Commons, and sat in that Place of the House where the Privy Counsellors used to sit. The Speaker left his Chair, and he, with the Privy Counsellors that were in the House, came and sat on low Benches before them. The Lord Chancellor shewed the Necessity of granting a Subsidy, to defend the Nation, both from the *French* and the *Scots*. When he had done, the Lords withdrew; but, tho' the Commons entered, both that and the two following Days, into the Debate, they came to no Issue in their Consultations.

It was now a very sickly Season for Agues and burning Fevers, which were very mortal, both this and the last Year, and carried off abundance of People, as our Historians tell us. It was also contagious; which occasioned the House to give Licence for one *John Thacker*, Burgess for *Derby*, to be absent, he having reported that the Town was sore infected from whence he came. And some few Days after, an Order was made by the House, that every Member, who was sick, should be excused from Attendance. And, whereas a Motion was made, That every Member, being sick, might be expelled the House, and Writs made out for electing another in his Room, it was resolved in the Negative.

The Reason why the Commons came to no Resolution, about granting a Subsidy, was occasioned, no Doubt, by the Queen's Death; since, in all Pro-

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Philip and Mary. bability, according to the Dates above, they had not Time to frame a Bill for that Purpose. For, on the 17th of *November*, a Message was sent, by the Lords, to the Lower House, requiring the Speaker and their whole House to come to them; when they should hear certain Matters that the Lords had to communicate to them. Whereupon, he, with the rest of the House, went up. And the Lord Chancellor told them, That God had taken the Queen to his Mercy, but had furnished them with another Sovereign Lady, My Lady ELIZABETH, Her Grace. And then willed the Knights and Burgesses to resort to the Palace, where the Lords would come and cause Her Grace to be proclaimed Queen of *England, &c.* and, immediately after, the said Proclamation was there made.

The Death of
the Queen,

Thus far the *Journal*. The Queen's Death could not be called sudden, or unexpected, for she had never enjoyed her Health since she parted with the false Conception mentioned before. Our Right Reverend Author reckons up some more Reasons for bringing her to her End. The great Neglect of King *Philip*, her Husband; who, after he despaired of having any Issue by her, had left the Kingdom and her to shift for themselves; and had drawn her into a dangerous and expensive War, into the Bargain. The Loss of *Calais* had also given a mortal Stroke to her Peace of Mind; and, joined to the other Misfortunes of this Year, had much increased her Melancholy. So that a long Declension of Health, and a Decay of Spirits, brought on a Dropsy, which put an End to her unhappy Life. Within a few Hours after the Queen, died, also, Cardinal *Pole*, Archbishop of *Canterbury*, after he had struggled some Time with the Quartan Ague: A Man, whom a great Historian (*m*) allows to be more renowned for his Piety, Learning and Integrity, than for the Glory of his Royal Descent; tho' he was Son to the Daughter of *George* Duke of *Clarence*, Brother to *Edward* the Fourth, King of *England*.

And of Cardinal
Pole.

It

(*m*) *Cambden's* Introduction to his *History of Queen Elizabeth*.

It is said, by *Sanders* (n), that when Queen Philip and Mary Mary found that she must die, she sent some Noblemen to the Lady Elizabeth, who was to succeed her, to desire certain Things of her ; but, especially two. The first was, That she would take Care to repay what Sums Mary had taken up of her Subjects, for the Publick Service ; but, in truth, to carry on the War she had entered into to please her Husband Philip. The other, That she would not permit the Catholick Religion, then constituted and established in England, to be overturned again. Both which, this Author says, she promised, but performed neither. But *Sanders's* Partiality to the Catholick Cause is sufficiently exposed by Bishop Burnet and others. It is certain, however, that Queen Mary borrowed a great deal of Money, both this Year and the last, from the City of London, and most rich Men of the Realm. Another Author writes (o), That she used various Ways to raise Sums ; as giving out Privy Seals, for which she required a hundred Pounds a Piece, from such as were judged wealthy ; whether Gentlemen or others ; which caused great Murmurings amongst the People, because large Subsidies had been levied by Act of Parliament. That in this last Year she again required great Loans of Money from all Parts ; and was so indigent as to drop from 100 l. to borrowing of 50, 40, 20, nay even ten Pounds, according to People's Abilities. This caused more Murmurings ; and, as our Author says, it troubled the Queen as much ; for she made it one of her last Requests to her Sister and Successor, to see these Loans satisfied, since she found she could not live long enough to get another Aid granted by Parliament. It is to be observed, also, that no Authors, except the last quoted, mention these small Loans, which seem much below the Dignity of a Crowned Head to borrow. Old Stowe, indeed, tells us,

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That

(n) *De Schismate Anglicano.*

(o) *Cowper's Chronicle.* See the Annotations on this Reign, in *Kennet's History of England.* Note (aa)

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Philip and Mary.

That in the last Year of this Queen, a Prest or Loan was granted by the City of *London*, to her, of 20,000*l.* for a Year; but that they had Security for the same out of the Crown-Lands, and were to have twelve *per Cent.* for the Money (*p*).

Lord Chief Justice *Coke* hath given us the Names of several Members of the two last Parliaments of this Queen, who, disliking the Proceedings, left their Seats in the House of Commons, taken from the Writs of their Prosecutions. No Judgment is entered against them; and it seems as if the Names of the Cities and Towns, to most of them, were the Places the Members served for. We shall conclude this Reign with a List of their Names as follows (*q*);

The Names of
several Members,
who left the
House in Disgust.

<i>Thomas Constable</i> , de	<i>Egidius Payne</i> , de eadem.
<i>Grimsby</i> , Com. <i>Lin.</i> (<i>r</i>)	<i>William Wigfson</i> , de <i>Wol-</i>
<i>Henry Leigh</i> , de ———.	<i>ston</i> , Com. <i>Warw.</i>
<i>Francis Farnham</i> , de	<i>Ralph Brown</i> , de <i>Wood-</i>
<i>Quern</i> , Com. <i>Leic.</i>	<i>lowes</i> , Com. <i>War.</i>
<i>John Holcroft</i> , sen. de	<i>Richard Rayleton</i> , de ———.
———, Knt.	<i>Marsh Worley</i> , de <i>Civit.</i>
<i>Thomas Somerset</i> , de ———.	<i>Litchfield.</i>
<i>George Ferrers</i> , de <i>Mark-</i>	<i>Walter Johnson</i> , de <i>Vill.</i>
<i>yat</i> , Com. <i>Heref.</i>	de <i>Kingston super Hull.</i>
<i>Nicholas Powtrell</i> , de <i>Ex-</i>	<i>George Lye</i> , de <i>Villa, Sa-</i>
<i>tington</i> , Com. <i>Nott.</i>	<i>lopp.</i>
<i>Thomas Moyle</i> , de ———,	<i>John Hoord</i> , de <i>Bridge-</i>
Com. <i>Kent.</i>	<i>north</i> , Com. <i>Salop.</i>
<i>Thomas Waters</i> , de ———.	<i>John Alsop</i> , de <i>Villa Lud-</i>
<i>William Tylcock</i> , de <i>Ci-</i>	<i>low</i> , Com. <i>Salop.</i>
<i>vit. Oxon.</i>	<i>William Lawrence</i> , de <i>Ci-</i>
<i>Thomas Balkden</i> , de <i>We-</i>	<i>vit. Winton.</i>
<i>chyngleigh</i> , Com. <i>Surr.</i>	<i>Robert Hudson</i> , de eadem.
Knt.	<i>Edmund Rouse</i> , de <i>Don-</i>
<i>Matthew Cradock</i> , de	<i>wich</i> , Com. <i>Stuff. Knt.</i>
<i>Villa, Stafford.</i>	<i>Robert Coppinge</i> , de <i>ea-</i>
<i>Thomas Parker</i> , de ———.	<i>dem.</i>
<i>Arthur Allen</i> , de <i>Civit.</i>	<i>John Harman</i> , de <i>Hospi-</i>
<i>Bristol.</i>	<i>tio Regis, et Reginæ.</i>
	<i>William</i>

(*p*) *Stowe's Chronicle*, Pag. 632.

(*q*) *Coke's 4 Inst.* p. 19, 20.

(*r*) This Man and seven others are said to be *utlegat*, i. e. outlawed,

<i>William Crouch</i> , de <i>Wel-</i>	<i>William Danby</i> , de —, Philip and Mary.
<i>lowe</i> , Com. <i>Som.</i>	Com. <i>Westm.</i>
<i>Thomas Lewes</i> , de <i>Welles</i> ,	<i>Robert Griffith</i> , de <i>New</i>
Com. <i>Som.</i>	<i>Sarum</i> , Com. <i>Wils.</i>
<i>William Godwyn</i> , de <i>ea-</i>	<i>John Hooper</i> , de <i>eadem.</i>
<i>dem.</i>	<i>William Clark</i> , de —.
<i>Peter Taylor</i> , de <i>Marl-</i>	<i>Griffith Curtys</i> , de <i>Brad-</i>
<i>bro</i> , Com. <i>Wils.</i>	<i>stock</i> , Com. <i>Wils.</i>
<i>Edward Braxden</i> , de <i>Ci-</i>	<i>Henry Hill</i> , de <i>Devises</i> ,
<i>vit. Worcest.</i>	Com. <i>Wils.</i>
<i>George Newport</i> , de	<i>Edward Upton</i> , de <i>Civ.</i>
<i>Droitwich</i> , Com. <i>Worc.</i>	<i>London.</i>
<i>John Harforde</i> , de <i>Civit.</i>	<i>John Reade</i> , de <i>eadem.</i>
<i>Coventry.</i>	<i>William Hampshire</i> , de
<i>Nicholas Frysh</i> , de —.	<i>eadem.</i>
<i>James Brenn</i> , de —.	<i>John Tyffars</i> , de —.
<i>John Payton</i> , —.	} Com. <i>Kent.</i>
<i>John Cheney</i> , —.	
<i>William Oxenden</i> , —.	
<i>Thomas Keys</i> , —.	
<i>William Hannington</i> , —.	<i>Nicholas Cripse</i> , de —.
<i>John Ashburnham</i> , de <i>Ash-</i>	<i>Edward Herbert</i> , de
<i>burnham</i> , Com. <i>Suff.</i>	<i>Stawley</i> , Com. <i>Sal.</i>
<i>William Reynaun</i> , de <i>Civ.</i>	<i>Richard Lloyd.</i>
<i>Gicest.</i> Com. <i>Suff.</i>	<i>John de Knylle</i> , de —.
<i>William Woodyere</i> , de <i>Slin-</i>	<i>H. Jones</i> , de —.
<i>don</i> , Com. <i>Suff.</i>	<i>Meredith Gaines.</i>
<i>John Roberts</i> , de —.	<i>Richard Bulkley</i> , de —,
<i>William Pellet</i> , de <i>Stein-</i>	<i>Knt. (s)</i>
<i>ing</i> , Com. <i>Suff.</i>	
<i>Richard Bowyer</i> , de <i>A-</i>	
<i>rundel</i> , Com. <i>Suff.</i>	

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(s) When the Convention with *Spain* was ratified, in the House of Commons, by a Majority of twenty-eight Voices, many of the leading Members of the Minority left the House, and never return'd again during the Continuance of that Parliament. This was distinguished by the Title of the *Secession*, and gave great Offence to the Minister; but however unusual this Proceeding was, 'tis plain they wanted not a Precedent for it.

See the Debate on this Affair, in *Chandler's History of the Commons*, Anno 1739, p. 70.

Philip and Mary.

The *Popish* and *Protestant* Writers of these Times, vary, as far as black from white, in giving Queen *Mary* a Character; one Side making her a Saint, and the other a Devil. It is needless to enter into these various and opposite Disputes; but one Remark seems necessary to make, which is this: Her Father, to bring about his *Reformation*, kept one Parliament several Years; but, the Daughter, to restore Things to their former State, had a new one almost every Year. And that whatever Cruelties are imputed to her Bigotry, they must be allowed to have been acted by Authority of Parliament; without which they could not have been executed by Law.

*Queen*

Queen ELIZABETH.

MARY, the eldest Daughter of King Henry VIII. Queen Elizabeth. 1558.
 being dead without Issue, *Elizabeth*, the youngest, according to the Act of Succession of the 35th of her Father's Reign, and the Appointment of his Will, succeeded to the Crown. She was proclaimed Queen of *England*, &c. immediately on her Sister's Demise; and was crowned at *Westminster*, on the 15th of *January*, 1558-9, by Dr. *Oglethorp*, Bishop of *Carlisle*; the Archbishop of *York*, and some other Bishops, refusing to assist at the Solemnity.

When the last Queen died, the Parliament was still sitting, as hath been before related. A modern Historian (t) tells us, 'That her Counsellors and Ministers were struck with Astonishment, at the Suddenness of it; that they kept it secret for some Hours, in order to consult what was best to be done in the Succession. But, as the Parliament was sitting, it was not in their Power to decide any Thing concerning it; especially, as it was clearly settled, by the Will of *Henry* the Eighth, authorized by an Act of Parliament, that had never been repealed. Their Consultation therefore ended, adds our Authority, in a Message, which was, *barely*, to inform the Parliament of the Queen's Death'. This is our *Frenchman's* Story; by which he would insinuate that as the Council could not conclude this Matter, the Right of Succession waited for a Determination by Parliament. Unfortunately for this great Historian, a much greater Authority is against him; for the *Journals* both of Lords and Commons absolutely tell us, That the Declaration of the Queen's Death was made to both Houses, by the Lord Chancellor, the very Day she died. And that he nominated to them her Successor, and desired the Concurrence

(t) *Rapin's History of England*, Fol. Ed. Vol. II. Pag. 50.

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Concurrence of both Houses to assist at the Proclamation of the *Lady ELIZABETH*. Her Grace. Besides, there was no Occasion for the Counsellors of the late Queen to be struck with Astonishment at her Death; when they must have known that her Case was desperate some Time before; and, consequently, a Dissolution daily expected.

But, to begin with this Reign, it is necessary to acquaint the Reader, that *Elizabeth* retained thirteen of her Sister's Privy Counsellors, at that Time all zealous *Catholics*, and added eight new ones, who were equally attached to the *Reformed Religion*. The Names of the former, were, *Heath*, Archbishop of *York*; *William Paulet*, Marquis of *Winchester*, Lord High Treasurer; *Henry Fitz-Alan*, Earl of *Arundel*; *Francis Talbot*, Earl of *Shrewsbury*; *Edward Stanley*, Earl of *Derby*; *William Herbert*, Earl of *Pembroke*; *Edward Penys*, Baron of *Clinton*, Lord High Admiral; *William Lord Howard*, of *Effingham*, Lord Chamberlain; Sir *Thomas Cheney*, Sir *William Petre*, Sir *John Mason*, Sir *Richard Sackvil*, and Dr. *Wotton*, Dean of *Canterbury*. *Burnet* says, that most of these Counsellors had complied with all the Changes that had been made in Religion, backward and forward, since the latter End of King *Henry's* Reign; and were so dextrous at it that they were still employed in every new Revolution (u). The *Protestant* Counsellors, were, *William Parr*, Marquis of *Northampton*; *Francis Russel*, Earl of *Bedford*; Sir *Thomas Parry*, Sir *Edward Rogers*, Sir *Ambrose Cave*, Sir *Frances Knolles*, Sir *William Cecil*, and Sir *Nicholas Bacon*, soon after made Keeper of the Great Seal (x).

As it is the Purport of this History to stick entirely to the Parliamentary Proceedings, so all the other Incidents of this Reign, except such that will serve to illustrate some dark Passages, will be omitted. The larger Historians, amongst whom is the great *Cambden*, the particular Writer of this

Queen's

(u) *Reformation*, Vol. II, Pag. 375.

(x) *Cambden*,

Queen's Life; and the Chronicles, near this Time, ^{Queen Elizabeth.} are amply filled with Matter, copious enough to satisfy the most greedy Appetite for History. To those, therefore, we leave the Transactions of Peace or War, except from Parliamentary Inquiries; which last will alone furnish Matter enough for our Purpose. To begin:

Very soon after the Coronation, a Parliament met, which had been called by Writs, dated at *Westminster*, December 1st, to meet there on the 23d of January following.

Anno Regni 1.
1558.
At Westminster.

Being all assembled, and the Receivers and Tryers of Petitions appointed, on *Monday*, the 23d, as aforesaid, the Lord Keeper, and other great Officers of State, declared to the whole Parliament, that, by reason of the Queen's Indisposition, her Majesty durst not come down to the House on that Day; but had sent a Writ of Prorogation to prorogue the said Parliament to *Wednesday* the 25th Instant; and the said Writ was read accordingly (y).

The Names and Titles of the Temporal Lords ^{State of the} attending this Parliament, are as follows (z): ^{Peerage.}

Sir *Nicholas Bacon*, Knt. Lord Keeper of the Great Seal, is put down first every Day in the Lords Journal; but being no Peer of the Realm, the first Writ was directed to *William Marquis of Winchester*, then Lord High Treasurer of *England*.

<i>Thomas Duke of Norfolk</i> , Earl Marshal of <i>England</i> .	<i>Francis Earl of Shrewsbury</i> .
<i>John Earl of Oxford</i> , Lord Great Chamberlain of <i>England</i> .	<i>Edward Earl of Derby</i> .
<i>Henry Earl of Arundele</i> .	<i>William Earl of Worcester</i> .
<i>Henry Earl of Westmoreland</i> .	<i>Henry Earl of Rutland</i> .
	<i>Henry Earl of Cumberland</i> .
	<i>Thomas Earl of Sussex</i> .
	<i>Francis</i>

(y) The Form of the Writ is inserted, at length, in the Lords Journals.

(z) Dugdale's *Summons to Parliament*, An. Reg. 1 Eliz.

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<i>Francis Earl of Hunting-</i> <i>don.</i>	<i>Edmund Lord Sutton, of</i> <i>Dudley.</i>
<i>Francis Earl of Bedford.</i>	<i>Henry Lord Hastings.</i>
<i>William Earl of Pembroke.</i>	<i>James Blount Lord</i> <i>Mountjoy.</i>
<i>Anthony Viscount Mon-</i> <i>tague.</i>	<i>Arthur Lord Darcie, of</i> <i>Darcie.</i>
<i>Thomas Viscount How-</i> <i>ard, of Bindon.</i>	<i>John Lord Lumley, of</i> <i>Lumley.</i>
<i>Edward Fenys Lord Clin-</i> <i>ton, Lord High Ad-</i> <i>miral of England.</i>	<i>Thomas Stanly Lord Mon-</i> <i>tegle.</i>
<i>William Howard Lord</i> <i>Effingham, Chamber-</i> <i>lain of the Houshold.</i>	<i>William Lord Burgh.</i> <i>John Paulet Lord St.</i> <i>John, of Basing, eld-</i> <i>est Son to the Marquis</i> <i>of Winchester.</i>
<i>Henry Nevile Lord Ber-</i> <i>gavenny.</i>	<i>William Lord Willoughby,</i> <i>of Parham.</i>
<i>John Touchet Lord Aud-</i> <i>ley.</i>	<i>John Lord Sheffield.</i> <i>John Lord Darcie, of</i> <i>Chiche.</i>
<i>Henry Stanley Lord</i> <i>Grange, eldest Son to</i> <i>the Earl of Derby.</i>	<i>Edmund Brugges Lord</i> <i>Chandos.</i>
<i>Henry Parker Lord Mor-</i> <i>ley.</i>	<i>Edward Lord Hastings,</i> <i>of Loughborough.</i>
<i>William Brooke Lord Cob-</i> <i>ham.</i>	<i>Henry Carey Lord Hun-</i> <i>don.</i>
<i>George Lord Talbot.</i>	<i>Oliver Lord St John, of</i> <i>Bletso.</i>
<i>Henry Lord Stafford.</i>	
<i>William Lord Grey, of</i> <i>Wilton.</i>	
<i>Henry Lord Scroop, of</i> <i>Bolton.</i>	

On *Wednesday* the 25th of *January*, the Queen was present in the House of Lords; but there is nothing entered in the *Journals* but the Introduction of the Lord Viscount *Howard*, and the Lords *Hastings*, *Darcy*, *Hunsdon*, and *St John of Bletsoe*, by the Queen's Writs, to take their Seats in that House. It is remarkable that the Abbot of *Westminster* sat there the first Day, but never after. But tho' the *Journals* are silent in the Speeches, and fuller Proceedings at the Beginning of this Parliam-
ment

ment, they are amply supplied by a careful Collector of those Matters and other Parliamentary Proceedings, throughout the whole Course of this Reign. This was Sir *Simonds D'Ewes*, Knt. and Bart. whose Authority, as it is *unquestionable*, we shall quote from with the same Assurance as the *Journals* of both Houses, when they are deficient in any material Circumstances (a). And, the Lord Keeper's Speech, at the Opening of this Parliament being omitted in the *Journals*, we give it from the Collection aforesaid as follows :

Queen Elizabeth.
1558.

My Lords and Masters all,

THE Queen's most excellent Majesty, our natural and most gracious Sovereign Lady, having, as you know, summoned hither her High Court of Parliament, hath commanded me to open and declare the chief Causes and Considerations that moved her Highness thereunto. And here, my Lords, I wish (not without great Cause) there were in me Ability to do it in such Order and Sort, as is becoming for her Majesty's Honour, and the Understanding of this Presence; and, as the great Weightiness and Worthiness of the Matter doth require it to be done. The Remembrance whereof, and the Number of my Imperfections to the well performing of it, doth indeed (plainly to speak) breed in me such Fear and Dread, that as from a Man abashed, and well nigh astonished, you are to hear all that I shall say therein. True it is, that some Comfort and Encouragement I take, through the Hope I have conceived, by that I have seen and heard of your gentle Sufferance by others, whereof I look upon equal Cause equally with others to be Partaker: And the rather, for that I am sure Good-Will shall not want in me to do my uttermost; and, also, because I mean to occupy as small a Time as the Greatness of such a Cause will suffer; thinking that to be the meetest

The Lord Keeper,
Bacon's,
Speech, at opening the Parliament.

(a) The *Journals* of all Queen Elizabeth's Parliaments, by Sir *Simonds D'Ewes*. Published by *Paul Bowes*, Esq; Fol. London, 1682.

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1558.

‘ meetest Medicine to cure your tedious Hearing,
 ‘ and mine imperfect and disordered Speaking, sum-
 ‘ marily to say, the immediate Cause of this Sum-
 ‘ mons and Assembly, be Consultations, Advice, and
 ‘ Contentation. For, altho’ divers Things that are
 ‘ to be done here in Parliament, might by Means be
 ‘ reformed without Parliament, yet the Queen’s
 ‘ Majesty, seeking in her Consultation of Import-
 ‘ tance, Contentation by Assent, and Surety by Ad-
 ‘ vice; and therein reposing herself not a little in
 ‘ your Fidelities, Wisdoms and Discretions, mean-
 ‘ eth not at this Time to make any Resolutions in
 ‘ any Matter of Weight, before it shall be by you
 ‘ sufficiently and fully debated, examined and con-
 ‘ sidered. Now, the Matters and Causes where-
 ‘ upon you are to consult, are chiefly and principal-
 ‘ ly three Points. Of those the first is of well-mak-
 ‘ ing of Laws, for the According and Uniting of
 ‘ these People of the Realm into an uniform Order
 ‘ of Religion, to the Honour and Glory of God, the
 ‘ Establishing of the Church, and Tranquility of
 ‘ the Realm. The second, for the reforming and
 ‘ removing of all Enormities and Mischiefs, that
 ‘ might hurt or hinder the Civil Orders and Poli-
 ‘ cies of this Realm. The Third and Last, is, ad-
 ‘ visedly and deeply to weigh and consider the E-
 ‘ state and Condition of this Realm, and the Losses
 ‘ and Decays that have happened of late to the Im-
 ‘ perial Crown thereof; and therefore to advise the
 ‘ best Remedies to supply and relieve the same. For
 ‘ the first, the Queen’s Majesty, having God before
 ‘ her Eyes, and being neither unmindful of Pre-
 ‘ cepts and Divine Councils, meaneth and intendeth
 ‘ in this Conference, first and chiefly there should
 ‘ be sought the Advancement of God’s Honour and
 ‘ Glory, as the sure and infallible Foundation,
 ‘ whereupon the Policies of every good Common-
 ‘ wealth are to be erected and knit; and, as the
 ‘ straight Line, whereby it is wholly to be directed
 ‘ and governed; and, as the chief Pillar and But-
 ‘ tress, wherewith it is continually to be sustained
 ‘ and maintained. And, like as the well and per-
 ‘ fect

‘fect Doing of this, cannot but make good Success Queen Elizabeth.
1558.
‘in all the rest, so the remiss and loose Dealing in
‘this, cannot but make the rest full of Imperfec-
‘tions and Doubtfulness; which must needs bring
‘with them continual Change and Alteration;
‘Things much to be eschewed in all good Gover-
‘nances, and most of all in Matters of Faith and
‘Religion; which of their Natures be, and ought
‘to be most stable.

‘Wherefore her Highness willeth, and most
‘earnestly requireth you all, first and principally,
‘for the Duty you bear unto God, whose Cause
‘this is; and then for the Service you owe to her
‘Majesty, and your Country, whose Weal it con-
‘cerneth universally; and for the Love you ought
‘to bear to yourselves, whom it toucheth one by
‘one particularly; that in this Consultation, you,
‘with all Humbleness, Singleness, and Pureness of
‘Mind, confirm yourselves together, using your
‘whole Endeavour and Diligence, by Laws and
‘Ordinance, to establish that, which by your Learn-
‘ing and Wisdom shall be thought most meet for
‘the well performing of this godly Purpose: And
‘this without Respect of Honour, Rule or Sove-
‘reignty, Profit, Pleasure or Ease; or of any thing
‘that might touch any Person in Estimation or O-
‘pinion of Wit, Learning or Knowledge; and
‘without all Regard of other Manner of Affection.
‘And therewith, that you will also in this your As-
‘sembly and Conference clearly forbear, and, as a
‘great Enemy to good Council, fly from all Man-
‘ner of Contentions, Reasonings and Disputations,
‘and all sophistical, captious and frivolous Argu-
‘ments and Quiddities, meeter for Ostentation of
‘Wit, than Consultation of weighty Matters; come-
‘lier for Scholars than Counsellors; more befeem-
‘ing for Schools, than for Parliament-Houses.
‘Besides that commonly they be great Causes of
‘much Expende of Time, and breed few good Re-
‘solutions. And like as in Council, all Conten-
‘tion should be eschewed, even so by Council Pro-
‘vision should be made, that no Contentions,

Con-

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contumelious, nor opprobrious Words, as Heretick, Schismatick, Papist, and such like Names, being Nurses of such seditious Factions and Sects, be used, but may be banished out of Men's Mouths; as the Causes, Continuers, and Encreasers of Displeasure, Hate and Malice; and as utter Enemies to all Concord and Unity, the very Marks that you are now come to shoot at.

Again, as in Proceedings herein, great and wary Consideration is to be had, that nothing be advised or done, which any way in Continuance of Time were likely to breed, or nourish any Kind of Idolatry or Superstition: So, on the other Side, Heed is to be taken, that by no licentious or loose Handling, any Manner of Occasion be given, whereby any Contempt, or irreverent Behaviour towards God and godly Things, or any Spice of Irreligion might creep in, or be conceived: The Examples of fearful Punishments that have followed these four Extremities; I mean, Idolatry, Superstition, Contempt, and Irreligion, in all Ages and Times, are more in Number than I can declare, and better known than I can make Recital to you of. And yet are they not so many, or better known than by the continual budding Benefits and Blessings of God to those that have forsaken those Extremities, and embraced their contraries. And for your better encouraging to run this right and strait Course, although that which is said ought to suffice thereto, I think I may affirm, that the good King *Hezekiah* had no greater Desire to amend what was amiss in his Time; nor the noble Queen *Hester* a better Heart to overthrow the mighty Enemies to God's Elect, than our Sovereign Lady and Mistress hath to do that may be just and acceptable in God's Sight. Thus forced to this by our Duties to God, feared thereto by his Punishments, provoked by his Benefits, drawn by your Love to your Country and yourselves, encouraged by so princely a Patroness; let us in God's Name go about this Work, endeavouring ourselves with all Diligence (as I have before

said.)

* said) to make such Laws, as may tend to the
 * Honour and Glory of God, to the Establishment
 * of his Church, and to the Tranquility of the
 * Realm.

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* For the second, There is to be considered what
 * Things by private Men devised, be practised, and
 * put in Ure in this Realm, contrary or hurtful to the
 * Commonwealth of the same, for which no Laws
 * be yet provided; and whether the Laws, before
 * this Time made, be sufficient to redress the Enor-
 * mities they were meant to remove; and whether
 * any Laws made but for a Time. be meet to be
 * continued for ever, or for a Season. Besides,
 * whether any Laws be too severe or too sharp, or
 * too soft and too gentle: To be short, you are to
 * consider all other Imperfections of Laws made, and
 * all Wants of Laws to be made, and thereupon to
 * provide the meetest Remedies; respecting the Na-
 * ture and Quality of the Disorder and Offence,
 * the Inclination and Disposition of the People, and
 * of the Manner of the Time.

* For the third and last, (a marvellous Matter)
 * I cannot see how a good true *Englishman* can en-
 * ter into the Consideration of it, but it must breed
 * in his Breast two contrary Effects; Comfort, I
 * mean, and Discomfort, Joy and Sadness: For,
 * on the one Part, how can a Man (calling to his
 * Remembrance that God of his Divine Power and
 * Ordinance, hath brought the Imperial Crown of
 * this Realm to a Princess, that so nobly, diligently,
 * willingly and carefully doth, by the Advice of all
 * the Estates of the Realm, seek all the Ways and
 * Means that may be, to reform all Disorders and
 * Things that be amiss; to continue and make firm
 * that that is good; to detect and discourage those
 * that be dishonest and evil; to execute Justice in
 * all Points to all Persons, and at all Times, with-
 * out Rigour and Extremity; and to use Clemency
 * without Indulgence and fond Pity.

* A Princess, I say, that is not, nor ever meaneth
 * to be, so wedded in her own Will and Fantasie, that
 * for the Satisfaction thereof, she would do any
 * thing

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‘ thing that was likely to bring any Servitude or
 ‘ Bondage to her People; or give any just Occasion
 ‘ to them of any inward Grudge, whereby any Tu-
 ‘ mult or Stirs might arise, as hath done of late
 ‘ Days, Things most pernicious and pestilent to the
 ‘ Commonwealth; a Princess, that never meaneth
 ‘ or intendeth, for any private Affection, to ad-
 ‘ vance the Cause or Quarrel with any foreign
 ‘ Prince or Potentate, to the Destruction of her
 ‘ Subjects, to the Loss of any of her Dominions, or
 ‘ to the Impoverishing of her Realm; a Princess,
 ‘ to whom nothing, what nothing? no, no worldly
 ‘ Thing under the Sun is so dear, as the hearty Love
 ‘ and Good-Will of her Nobles and Subjects; and
 ‘ to whom nothing is so odible, as that they might
 ‘ cause or by any Means procure the contrary.)

‘ How can (I say) a Man remember this wonder-
 ‘ ful Benefit, but of Necessity he must needs hearti-
 ‘ ly rejoice, and give God Thanks for the same!
 ‘ But, my Lords, the handling of the princely
 ‘ Virtues of this noble Princess, the Cause of our
 ‘ Rejoicing, of purpose I pretermit, partly because
 ‘ I ever supposed it not altogether meet for this
 ‘ Presence; but, chiefly, for that it requireth a per-
 ‘ fect and excellent Orator, in whom both Art and
 ‘ Nature concurs, and not to me, a Man in whom
 ‘ both fails. Marry, I wish in my Heart, an apt
 ‘ Person might oft have meet Presence, and just
 ‘ Occasion, to handle this Matter, as the Weighti-
 ‘ ness of the Cause requireth. But, as the Causes of
 ‘ our Rejoicing for such Respects be (Thanks be to
 ‘ God) both many and great; so for the Causes
 ‘ of our Sadness and Discomfort, they be neither
 ‘ few nor little.

‘ But here upon great Cause, as a Man perplexed
 ‘ and amazed, I stay, not knowing what is best to
 ‘ be done; very loth I am to utter that which is
 ‘ much unpleasant for me to speak, and as uncom-
 ‘ fortable for you to hear: But, because Sores and
 ‘ Wounds be hardly cured, except they be well o-
 ‘ pened and searched, therefore constrained of Ne-
 ‘ cessity I see I must trouble you with these sad
 ‘ Matters.

* Matters. What Man, that either loveth his So-
 * vereign, his Country, or himself; that thinketh of,
 * and weigheth the great Decays and Losses of Ho-
 * nour, Strength and Treasure; yea, and the Peril
 * that hath happen'd to this Imperial Crown of late
 * Time, but must inwardly and earnestly bewail
 * the same? Could there have happen'd to this
 * Imperial Crown a greater Loss in Honour,
 * Strength and Treasure, than to lose that Place, I
 * mean *Calais*, which was in the Beginning so
 * nobly won, and hath so long Time, so honourably
 * and politely, in all Ages and Times, and against
 * all Attempts, both foreign and near, both of For-
 * ces and Treasons, been defended and kept? Did
 * not the keeping of this breed Fear to our greatest
 * Enemies, and made our faint Friends the more
 * assured, and lother to break? Yea, hath not the
 * winning and keeping of this bred throughout *Eu-
 * rope* an honourable Opinion and Report of our
 * *English* Nation?

* Again, what one Thing so much preserved and
 * guarded our Merchants, their Traffick and Inter-
 * courses, or hath been so great a Help for the well
 * uttering of our chief Commodities; or what, so
 * much as this, hath kept a great Part of our Sea-
 * Coasts from Spoiling and Robbing? To be
 * short, the Loss of this is much greater than I am
 * able to utter, and as yet, as I suppose, is able to be
 * understood by any: And yet, my Lords, if this
 * were the whole Loss, then might Men have some
 * Hope in Time to come to recover that, that in
 * Time hath been thus suddenly and strangely lost:
 * But, when a Man looketh further, and considereth
 * the marvellous Decays and Wastes of the Reve-
 * nues of the Crown; the inestimable Consumption
 * of the Treasure, levied both of the Crown and
 * of the Subject; the exceeding Loss of Munition
 * and Artillery; the great Loss of divers valiant
 * Gentlemen of very good Service; the incredible
 * Sum of Monies owing at this present, and in Ho-
 * nour due to be paid, and the biting Interest that is
 * to be answered for the Forbearance of this Debt;

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therewith remembring the Strength and Mighti-
ness of the Enemy, and his Confederates, and how
ready he is upon every Occasion, upon every Side,
and in every Time, to annoy you ; and how the
Time most meet for that Purpose draweth on at
Hand. Again, if a Man consider the huge and most
wonderful Charge, newly grown to the Crown,
more than ever hath heretofore been wont, and
now of Necessity to be continued ; as first, the
Maintenance of Garrisons in certain Places on the
Sea-Coasts, as *Portsmouth*, with new Munition
and Artillery, besides the new increased Charge for
the continual Maintenance of the *English* Navy to
be ever in Readiness against all evil Happs ; the
strongest Wall and Defence that can be against the
Enemies of this Island ; and further also, the new
Augmentation or Charge, for the Maintenance of
a Garrison at *Berwick*, and the Frontiers North-
ward. Indeed, I must confess that in those Mat-
ters mine Understanding is but small, and mine
Experience and Time to learn less ; but, in my
Opinion, this doth exceed the antient yearly Re-
venue of the Crown. Besides, that Double so
much is of Necessity to be presently spent, about
the fortifying of those Places in Buildings. When,
I say, a Man remembereth and considereth those
Things, it maketh him so far from Hope of Re-
covery of that that is lost, without some Aid or
Contribution of the Subject, that he will judge all
to be little enough to make and prepare good De-
fence for that that is left.

Here perchance a Question would be asked,
(and yet I do marvel to hear a Question made of
so plain a Matter) what should be the Cause of
this ? If it were asked, thus I mean to answer ;
That I think no Man so blind but seeth it, no Man
so deaf but heareth it, nor no Man so ignorant
but understandeth it. Marry, withal, I think
there is no Man so hard-hearted in thinking of it,
but for the restoring of it would adventure Lands,
Limbs, yea the Life. But now to the Remedies,
wherein only this I have to say, That as the
well

well looking to the whole universally, is the only
 sure Preservation of every one particularly; so
 seemeth it of all Congruence and Reason meet,
 that every one particularly, by all Ways and
 Means, readily and gladly, according to his Pow-
 er, should concur and join to relieve and assist
 the whole universally. Neither can I see, Things
 standing as they do, how any that loveth his
 Country, or hath Wit to foresee his own Surety,
 can be withdrawn from this. Is there any, think
 you, so mad, that having a Range of Houses in
 Peril of Fire, would not gladly pluck down Part,
 to have the rest preserved and saved? Doth not
 the wise Merchant, in every Adventure of Dan-
 ger, give Part to have the rest assured? These
 Causes well compared, small Difference shall be
 found. And for this, (a strange Matter and scarce
 credible) with how deaf an Ear, and how hardly
 the Queen's Majesty may endure to hear of any
 Device that may be burthenous to her Subjects, I
 partly do understand, and divers others partly per-
 ceive. Is not the Cause marvellous and pitiful,
 that the Necessity and Need of this ragged and
 torn State by Misgovernance, should by Force so
 bridle and restrain the noble Nature of such a
 Princess, that she is not able to show such Libera-
 lity and Bountifulness to her Servants and Sub-
 jects, as her Heart and Inclination disposeth her
 Highness unto? What a Grief and Torment
 this is to a noble Mind! What a Grief? surely
 such a Grief, as but to a noble Mind who feels it
 it cannot be understood. But for the more plain
 Declaration of her Highness's Disposition in this
 Matter, her Highness hath commanded me to say
 unto you, even from my own Mouth, That were
 it not for the Preservation of yourselves, and the
 Surety of the State, her Highness would sooner
 have adventured her Life, (which our Lord long
 preserve) than she would have adventured to trou-
 ble her loving Subject with any offensive Matter,
 or that should be burthenous or displeasing unto
 them; and for the further notifying of her High-

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nefs's Mind herein, she hath commanded me to say unto you, That albeit you yourselves see, that this is no Matter of Will, no Matter of Displeasure, no private Cause of her own, which in Times past have been sufficient for Princes Pretences, (the more Pity!) but a Matter for the universal Weal of this Realm, the Defence of our Country, the Preservation of every Man, his Wife and Family particularly ; yet her Majesty's Will and Pleasure is, That nothing shall be demanded or required of her loving Subjects, but that, which they, of their own free Wills and Liberalities, be well contented, readily and gladly, frankly and freely to offer ; so great is the Trust that she repositeth in them, and the Love and Affection that her Highness beareth towards them, nothing at all doubting, but that they will so lovingly, carefully and prudently, consider and weigh this great and weighty Matter, that such Provision out of Hand be taken therein, as her Highness shall be preserved in all Honour and Royal Dignity, and you, and the rest of her loving Subjects, in common, Quiet and Surety.

Now, to make an End. The Queen's Majesty's Pleasure is, That you, her well beloved and trusty Knights of her Shires and Burghesses, according to your laudable Custom, shall repair to your Common House, and there deliberately and advisedly elect, or rather, amongst so many already elect Persons, select one, both grave and discreet, who after he be by you presented, and that Presentation by her Highness admitted, shall then occupy the Office and Room of your Common Mouth, and Speaker; and of your Day of Presentation the Queen's Majesty will give you Notice."

Sir Thomas Gar-
grave, Speaker.

The same Authority hath given us the Ceremonial Speeches made when the Commons presented Sir *Thomas Gargrave*, Knt. as their Speaker; which we shall omit, as little different from what hath preceded in this History, or even what is used at this Day.

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On *Saturday* the 28th of *January*, the Queen ^{Queen Elizabeth} being again present, there is nothing entered on the ^{1558.} *Journals*; but on *Monday, Jan. 30th*, a Bill was brought into the Lords House, and read a first Time, for the Restitution and Annexation of the First Fruits and Tenths to the Queen's Majesty and Imperial Crown of this Realm. It was read a second Time the next Day; and on *February* the 4th it passed that House, with the Addition of reserved Rents, *Nomine Decimarum*, and Parsonages improper; the Archbishop of *York*, the Bishops of *London, Winchester, Worcester, Landaff, Coventry, Exeter, Chester* and *Carlisle*, dissenting. The Temporal Lords all voted for the Bill; which, as an Author observes, is somewhat strange; considering, that they were almost all the same Members who made the Act for returning these Things to the Church in the last Reign (*b*).

February the 9th was read for the third Time, a Bill for the Recognition of the Queen's Majesty's Title to the Imperial Crown of this Realm, which was (*Nem. Con.*) assented to, and committed to the Queen's Solicitor and the Clerk of the Crown to carry to the Lower House. On the same Day, was read a Bill wherein certain Offences are declared Treason; and another Bill against scandalous and seditious Words.

Mr *Cambden* has placed the Act of Recognition the first that passed the House (*c*). The *Journals* give it otherways; however, the Act declared, 'That Queen *Elizabeth* was, and ought to be, as well by the Law of God, as by Common and Statute Laws of the Realm, the lawful, undoubted and true Heir to the Crown, lawfully descended from the Blood Royal, according to the Order of Succession, settled in Parliament the 35th of *Henry VIII.*'

The aforesaid Biographer observes on this Occasion, 'That as her Father's Act, which related to the Exclusion of her and her Sister, remained still

B b 3 unre-

(*b*) Collier's Eccles. Hist.

(*c*) *Cambden's Life and Reign of Queen Elizabeth*, in *Kennet's History of England*, Vol. II. Page 371.

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unrepealed, this was looked upon, in some Men's Opinions, as a great Flaw in *Bacon's* Politics; whom the Queen relied on as the very Oracle of the Law, in Cases of this Nature. And, the rather, because *Northumberland* had used it as an Argument both against this Queen and *Mary*; for which Reason *Mary* had got the Act repealed as far as related to herself. He adds, that from hence *Elizabeth* might be termed an Usurper, tho' it be a standing Maxim of the Law of *England*, 'That the Crown takes away all Defects.' Another Sort of Men there was, who thought this a very wise Scheme in the Minister; who, considering the Perplexity and Uncertainty of Parliamentary Laws and Statutes; and that the very same Things which seemed to favour the Interest of Queen *Elizabeth*, laid a Stain on the Cause and Credit of her Sister; was therefore very shy in rubbing an old Sore, which Time had now pretty well healed. Therefore he chose rather to plant the Succession on that Act of the 35th of *Henry VIII.* which seemed to bear an equal and fair Regard to the Right and Reputation of both the Sisters (d).'

And for restoring
the Supremacy.

But the Act which met with the greatest Opposition this Parliament, is entituled, *An Act for restoring the Supremacy to the Imperial Crown of this Realm; and repealing divers Acts made to the Contrary.*

Before the House of Commons entered upon this Bill, they had a very material Circumstance to settle.

On the 30th of *January*, a Committee of twenty-four Members were appointed to meet and treat of a convenient Subsidy (e). At the same Time it was recommended to them to consider of the Validity of the Summons, both to the last and also this present Parliament; in which said Writ, the Words *Supremum Caput Ecclesiæ* were omitted. *February* 3d Mr *Carrel* reported from the said Committee, that it was agreed by them, 'That the Want of the said Words did not at all hinder, or im-

(d) *Statutes at large*, Anno 1. *Eliz.* Chap. 1.

(e) *Dewes's Journals*, p. 44.

‘ impeach, the Validity of the said Writs of Summons to the preceeding Parliaments, or this now assembled.’ After clearing this Point, which was agreed to by the whole House, the Bill itself met with no Opposition that we can find in their *Journal*: ‘ That House, according to *Cambden*, being now composed of more *Protestants* than *Papists*; tho’ the latter did not stick to say that Secretary *Cecil* had played an underhand Game in the Elections; and that several Knights of Shires and Burgeſſes for Cities and Corporations, had been returned for this very Purpose.’ But,

The Martyrologist informs us of one Member, in the House of Commons, who boldly opposed this Bill; this was Dr *John Story*, a *Civilian*; who, according to that Author’s modest Way of Expression, made an impudent and shameless Speech against it (*f*). Telling the House, ‘ That as he was noted commonly abroad, or much complained of at Home, as a great Stickler and Actor in the late religious Proceedings, under *Queen Mary*; he did not deny it, but protested he had, therein, done nothing but according to his Conscience, and the Commission he bore from her late Majesty, whose Commands would discharge him from Blame. And that he was no less ready to do it again, provided he was so authorised and commanded by her present Majesty. Wherefore, says he, I see nothing to be ashamed of, and less to be sorry for, on that Account; and am rather sorry that no more was done, and those Laws were not executed with more Severity. And herein he added, there was no Fault in him, but in them, whom he had so oft and so earnestly exhorted to it; being not a little grieved that they went to Work only with the little Sprigs and Branches, when they should have struck at the Root and thoroughly grubbed it up.’ Our Author goes on and tells us, ‘ That he mentioned Sir *Philip Hobby*, and another Knight in *Kent*, whom he

‘ said

(*f*) *Foxe’s Martyrs*, Vol. II. p. 1925. *Hollingshead’s Chron.* p. 1189.

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‘ said ought to have been sacrificed as well as some
‘ others of Rank and Riches, if they had taken his
‘ Advice and done wisely. That he himself was
‘ once at the burning of an Heretic, and toft a
‘ Faggot at his Face, as he was finging Pfalms, and
‘ put a Bunch of Thorns under his Feet.’ With
other Expreffions of this Nature, not likely to
come from the Mouth of any Man of common
Sense, in fuch an Afsembly. However, the
fame Authority and others inform us, that *Story*
paid dear for his Speech-making fome Time after ;
for, being committed to Prison, he made his Escape
and joined with the famous Duke *D’Alva* at *Ant-
werp* ; but being trepanned on board an *English*
Ship, he was brought back and fuffered the Death
of a Traytor. Nor does *Foxe* leave him, at the
Gallows ; for to shew the Violence of his Spirit at
the laft, he tells us, that he was cut down alive
from the Gallows, and when the Executioner cut
off his Privy Members to burn, *Story* rofe up
and hit him a Blow on the Face, to the Wonder of
all the Spectators (g).

On the 18th of *February*, the said Bill, with certain
Provisoës added thereto by the Lords, and sundry
other Amendments, was concluded in that Houfe.
The Archbishop of *York*, the Earl of *Shrewsbury*,
the Viscount *Montague*, the Bishops of *London*,
Winchester, *Worcester*, *Landaff*, *Coventry*, *Exeter*,
Chester, *Carlisle*, and the Abbot of *Westminster*, dis-
senting. (h) It was sent down to the Commons, who
kept it till *March* the 22d, and then returned it to
the Lords, with a new Proviso, added by them.
This was read thrice the same Day, and concluded ;
the former Archbishop and Bishops dissenting.

This Bill, having been canvassed near a Month
fince it was first sent up by the Commons, must ar-
gue strong Debates and great Opposition to it. Mr.
Cambden informs us, that the nine Prelates be-
fore-mentioned, opposed it vigorously, but has left us
none

(g) *Martyrs*, Vol. II. p. 1949.

(h) At Page 364, of this Volume, Line 39, read thus, ‘ sat there
this Parliament, but, &c.’

none of their Arguments used against it (i). But a much later painful Collector of Ecclesiastical Memoirs, relating to our *Reformation*, hath given us two Speeches, delivered in the House of Lords, against this Bill of Supremacy (k). The Orators, on this Occasion, were *Nicholas Heath*, Archbishop of *York*, and *Cuthbert Scott*, Bishop of *Chester*; whose Speeches, tho' long enough, must have Place in this History; the Impartiality of which will not admit of any Abridgment. And first, the Archbishop.

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My Lords all,

WITH humble Submission of my whole
Talk unto your Honours, I purpose to
speak to the Body of this Act, touching the Supremacy: And that the Doings of this honourable Assembly may therein be always further honourable, two Things are right needful and necessary of your Wisdoms to be considered. First, when by the Virtue of this Act of Supremacy, we must forsake and flee from the See of *Rome*, it would be considered by your Wisdoms, what Manner of Danger and Inconvenience, or else whether there be none at all. Second, when the Intent of this Act is to give unto the Queen's Highness a Supremacy, it would be considered of your Wisdoms what this Supremacy is, and whether it do consist in Spiritual Government or in Temporal. If in Temporal, what further Authority can this House give unto her Highness, than she hath already by Right and Inheritance, and not by your Gift, but by the Appointment of God? She being our Sovereign Lord and Lady, our King and Queen, our Emperor and Empress; other Kings and Princes of Duty ought to pay Tribute unto her, she being free from them all.

If

(i) *Heath, York.*

Bonner, London.

White, Winchester.

Pate, Worcester.

Kitchen, Landaff.

Bayn, Coventry.

Turberville, Exeter.

Scot, Chester.

Ogletborpe, Carlisle.

Feckenham, Abbot of Westminster.

All of whom, except *Kitchen of Landaff*, were afterwards deprived for Non-Compliance.

(k) *Strype's Annals*, Vol I. Pag. 6, &c. in Appendix.

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‘ If you will say, that this Supremacy doth consist in Spiritual Government, then it would be considered, what this Spiritual Government is, and in what Points it doth chiefly remain. Which being first agreed upon, it would be further considered of your Wisdoms, whether this House may grant them unto her Highness, or not; and whether her Highness be an apt Person to receive the same, or not. And by the thorough Examination of all these Parts, your Honours shall proceed in this Matter groundly upon thorough Knowledge, and not be deceived by Ignorance.

‘ Now to the first Point, wherein I promised to examine this forsaking and flying from the See of *Rome*, what Matter either of Weight, Danger or Inconvenience doth consist therein? And, if by this our relinquishing of the See of *Rome* there were none other Matter therein, than a withdrawing of our Obedience from the Pope’s Person, *Paul* the IVth of that Name, which hath declared himself to be a very austere stern Father unto us, ever since his first Entrance into *Peter’s* Chair, then the Cause were not of such great Importance, as it is in very deed; when, by the relinquishing and forsaking of the See of *Rome*, we must forsake and fly from these four Things. First, we must forsake and fly from all general Councils. Secondly, we must fly from all Canonical and Ecclesiastical Laws of the Church of *Christ*. Thirdly, from the Judgment of all other Christian Princes. Fourthly, and lastly, we must forsake and fly from the Unity of *Christ’s* Church, and by leaping out of *Peter’s* Ship, hazard ourselves to be overwhelmed and drowned in the Waters of Schism, Sects and Divisions.

‘ First, touching general Councils, I shall only name unto you these Four; *Nicene* Council, *Constantinopolitan*, *Ephesine* and *Chalcedon* Council, which are approved of all Men, doubted of or denied of no Man. Of the which four Councils *St. Gregory* writeth in this wise, *Sicut enim Sancti Evangelii quatuor Libros, sic hæc quatuor Concilia,*
‘ *scilicet*

‘ *scilicet Nicen. Constantinopolitan. Ephesin. et Chal-*
 ‘ *cedonenſe ſuſcipere ac venerari me fateor.* At the Ni- Queen Elizabeth.
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 ‘ *cene* Council, the first of the Four, the Bishops
 ‘ which were assembled, did write their Epistle to
 ‘ *Sylveſter*, then Bishop of *Rome*, That their De-
 ‘ crees made there must be confirmed by his Au-
 ‘ thority. At the Council kept at *Constantinople*,
 ‘ all the Bishops there were obedient to *Damaſe*,
 ‘ then Bishop of *Rome*. He, as chief Judge of that
 ‘ Council, did give Sentence against the Hereticks,
 ‘ *Macedonians*, *Sabellians*, and *Eunomians*; which
 ‘ *Eunomius* was both an *Arian*, and the first Author
 ‘ of this Heresie, that only Faith doth justify; and
 ‘ here, by the Way, it is much to be lamented,
 ‘ that we, the Inhabitants of this Realm, are much
 ‘ more inclined to raise up the Errors and Sects of
 ‘ ancient and condemned Hereticks, than to follow
 ‘ the approved Doctrine of the Most Catholick and
 ‘ Learned Fathers of *Christ’s* Church. At the *Ephesin*
 ‘ Council, *Nestorius*, the Heretick, was condemned
 ‘ by *Celeſtine*, then Bishop of *Rome*, he being the
 ‘ Chief Judge there. At *Chalcedon*, all the Bi-
 ‘ shops assembled there, did write their humble Sub-
 ‘ mission unto *Leo*, then Bishop of *Rome*, wherein
 ‘ they did acknowledge him to be their chief Head.
 ‘ Therefore to deny the See Apostolick, were to
 ‘ comtemn and set at nought the Judgment of these
 ‘ four Councils.

‘ Second, we must forsake and fly from all Cano-
 ‘ nical and Ecclesiastical Laws of *Christ’s* Church,
 ‘ whereunto we have already confessed our Obedi-
 ‘ ence at the Font, saying, *Credo Sanctam Ecclesi-*
 ‘ *am Catholicam*; which Article containeth, That
 ‘ we must believe not only that there is a Holy Ca-
 ‘ tholick Church, but that we must receive also the
 ‘ Doctrine and Sacraments of the same Church, o-
 ‘ bey her Laws, and live according unto the same;
 ‘ which Laws do depend wholly upon the Authori-
 ‘ ty of the See Apostolick. And like as it was here
 ‘ openly confessed by the Judges of this Realm, that
 ‘ the Laws made and agreed upon, in the Higher
 ‘ and Lower House of this honourable Parliament,
 ‘ be

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be of small or none Effect, before the real Assent of the King and Prince be given thereto; sem-
blably Ecclesiastical Laws made, cannot bind the
Universal Church of *Christ*, without the real
Assent and Confirmation of the See Apostolick.
The Third, We must forsake and fly from the
Judgment of all Christian Princes, whether they
be Protestants or Catholick, when none of them
do agree with these our Doings; King *Henry*
the Eighth being the very first that ever took upon
him the Title of Supremacy. And whereas it
was of late here in this House said by an honoura-
ble Man, That the Title is, of Right, due unto
the King, for that he is a King; then it would
follow, That *Herod*, being a King, should be
Supreme Head of the Church at *Jerusalem*; and
Nero, the Emperor, Supreme Head of the Church
of *Christ* at *Rome*, they both being Infidels, and
thereby no Members of *Christ's* Church. And if
our Saviour *Jesus Christ*, at his Departure from
this World, should have left the Spiritual Govern-
ment of his Church in the Hands of Emperors
and Kings, and not to have committed the same
unto his Apostles, how negligent then should he
have left his Church, it shall appear right well;
by calling to your Remembrance, that the Em-
peror, *Constantinus Magnus*, was the first Christi-
an Emperor, and reigned about three hundred
Years after the Absence of *Christ*: If therefore
by your Proposition *Constantine*, the first Christian
Emperor, was the first Chief Head and Spiritual
Governor of *Christ's* Church throughout his Em-
pire, then it followeth, how that our Saviour
Christ, for that whole Time and Space of three
hundred Years, untill the Coming of this *Constan-*
tine, left his Church, which he had dearly bought
by the Effusion of his most precious Blood, with-
out a Head; and therefore, how untrue the Say-
ing of this Nobleman was, it shall further appear
by the Example of King *Ozias*, and also of King
David: For when King *Ozias* did take the Cen-
ser to incense the Altar of God, the Priest *Azari-*

as did resist him, and expel him out of the Temple, Queen Elizabeth, 1558.
 and said unto him these Words, *Non est Officii tui, Ozia, ut adoleas Incensum Domino, sed est Sacerdotis et Filiorum Aaron; ad hujusmodi enim Officium consecrati sunt.* Now I shall most humbly demand of you this Question, When this Priest, *Azarias*, said unto this King *Ozias*, *Non est Officii tui, &c.* Whether he said Truth or no? If you answer, that he spoke the Truth, then the King *Ozias* was not the Supreme Head of the Church of the Jews: If you shall say, No; Why did God then plague the King with a Leprosy, and not the Priest? The Priest *Azarias*, in resisting the King, and thrusting him out of the Temple, in so doing, did he play the faithful Part of a Subject, or no? If you answer, No; Why did God then spare the Priest, and plague the King? If you answer, Yea; then it is most manifest, *Ozias*, in that he was a King, could not be Supreme Head of the Church. And, as touching the Example of King *David*, in bringing Home the Ark of God from the *Philistines*, *ad Civitatem David*, What Supremacy and Spiritual Government of God's Ark did King *David* there take upon him? Did he place himself amongst the Priests, or take upon him any Spiritual Function unto the Priests appertaining? Did he approach near unto the Ark, or yet presume to touch the same; no, doubtless, when before he saw *Ozias* stricken by the Hand of God for the like Arrogancy and Presumption; (1) and therefore King *David* did go from the Ark of God with his Harp, making Melody, and placed himself amongst the Minstrels; and so humbly did abase himself, being a King, as to dance, skip, and leap before the Ark of God, like as his other Subjects. Insomuch, that Queen *Micball*, King *Saul's* Daughter, beholding and seeing the great Humility of King *David*, did disdain thereat. Whereunto King *David* said,
 ' *Ludam,*

(1) Here the Archbishop forgot that *Ozias* was not before *David*, but many Years after him. *Strype.*

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‘ *Ludam, et vilior fiam, plusquam factus sum coram*
 ‘ *Domino meo, qui me elegit potius quam Patrem tuum*
 ‘ *aut Domum Patris tui.* And whereas Queen
 ‘ *Micholl* was therefore plagued at the Hand of God
 ‘ *perpetua Sterilitate*, King *David* received great
 ‘ Praise for his Humility.

‘ Now it may please your Honours, which of
 ‘ both these Kings Examples it shall be most con-
 ‘ venient for your Wifdoms to move our Queen’s
 ‘ Highness to follow ; the Example of the proud
 ‘ King *Ozias*, and by your Persuasions and Coun-
 ‘ sels, to take upon her Spiritual Government,
 ‘ thereby adventuring yourselves to be plagued at
 ‘ God’s Hands, as King *Ozias* was ; or else to fol-
 ‘ low the Example of good King *David*, which in
 ‘ Refusal of all Spiritual Government about the
 ‘ Ark of God, did humble himself as I have declared
 ‘ unto you ? Whereunto our Sovereign Lady the
 ‘ Queen’s Highness of her own Nature very well
 ‘ inclined and bent, we may assure ourselves to have
 ‘ of her Highness as humble, as virtuous, and as
 ‘ godly a Mistress to reign over us, as ever had
 ‘ *English* People here in this Realm ; if that her
 ‘ Highness be not, by our Flattery and Dissimulati-
 ‘ on, seduced and beguiled.

‘ Fourth and Last, we must forsake and fly from
 ‘ the Unity of *Christ’s* Church, when St. *Cyprian*,
 ‘ that holy Martyr, saith, *That the Unity of the*
 ‘ *Church of Christ doth depend upon the Unity of*
 ‘ *Peter’s Authority* ; therefore by our leaping out of
 ‘ *Peter’s* Ship, we must needs be overwhelmed with
 ‘ the Waters of Schism, Sects and Divisions. For
 ‘ the same holy Martyr, St. *Cyprian*, saith in his
 ‘ Third Epistle *ad Cornelium*, that all Heresies,
 ‘ Sects and Schisms do spring only, for that Men
 ‘ will not be obedient unto the Head Bishop of
 ‘ God. The *Latin* thereof is, *Neque enim aliunde*
 ‘ *Hæreses abortiæ sunt, aut nota sint Schismata, quin*
 ‘ *inde quod Sacerdoti Dei non obtemperatur.* And
 ‘ how true this Saying of *Cyprian* is, it is apparent
 ‘ to all Men that listeth to see by the Example of
 ‘ the *Germans*, and by the Inhabiters of this Realm.

§ And

And by our forsaking and flying from the Unity of the Church of *Rome*, this Inconveniency, amongst many, must consequently follow thereof, That either we must grant the Church of *Rome* to be the Church of God, or else a malignant Church. If you answer, that it is of God, where *Jesus Christ* is truly taught, and all his Sacraments rightly ministered; how then may we disburden ourselves of our forsaking and flying that Church, whom we do confesse and acknowledge to be of God, when with that Church, which is of God, we ought to be one, and not to admit any Separation? If you answer, that the Church of *Rome* is not of God, but a malignant Church; then it will follow, that we, the Inhabitants of this Realm, have not as yet received any Benefit of *Christ*, when we have received no other Gospel, no other Doctrine, no other Faith, no other Sacraments, than were sent us from the Church of *Rome*. First, in King *Lucius* his Days, at whose humble Epistle the holy Martyr *Elutherius*, then Bishop of *Rome*, did send unto this Realm two holy Monks, *Faganus* and *Damianus*, by whose Doctrine we were first put to Knowledge of the Faith of *Jesus Christ*, of his Gospel, and of his most blessed Sacraments. Second, holy St. *Gregory*, being Bishop of *Rome*, did send into this Realm two other holy Monks, St. *Augustin* and *Mellitus*, to revive the very self same Faith of *Jesus Christ*, that was before planted in this Realm in the Days of King *Lucius*. Third, and Last, *Paulus Tertius*, being Bishop of *Rome*, did send the Lord Cardinal *Pole*'s good Grace, by Birth a Nobleman of this Realm, as his Legate, to restore us to the same Faith that the blessed Martyr *Elutherius* and holy St. *Gregory* had planted here in this Realm many Years before. If therefore the Church of *Rome* be not of God, but a malignant Church, then we have been deceived all this while; when the Gospel, the Doctrine, Faith and Sacraments must be of the same Nature that the Church is of from whence it came. And there-
 fore

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fore in relinquishing and forsaking of that Church,
as a malignant Church, the Inhabitants of this
Realm shall be forced to seek further for another
Gospel of *Christ*, other Doctrine, Faith, and Sa-
craments, than we hitherto have received. Which
shall breed such a Schism and Error in Faith, as
was never in any Christian Realm : And therefore
of your Wisdoms worthy Consideration, and
maturely to be provided for, before you pass this
Act of Supremacy.

Thus much touching the first chief Point.
Now to the second chief Point ; wherein I pro-
mised to move your Honours to consider what
this Supremacy is, which we go about by virtue
of this Act, to give unto the Queen's Highness,
and wherein it doth consist ; as, whether in Spi-
ritual Government, or in Temporal. If in Spi-
ritual, like as the Words of the Act do import,
*Supream Head of the Church of England, im-
mediate and next under God* ; then it would be
considered of your Wisdoms in what Points this
Spiritual Government doth consist ; and the
Points being well known, it would be considered,
whether this House have Authority to grant
them, and her Highness Ability to receive the
same.

And, as touching the Point wherein the Spi-
ritual Government doth consist, I have, in read-
ing the Gospel, observed these four, amongst
many ; whereof the first is to loose and bind,
when our Saviour *Jesus Christ*, in ordaining *Pe-
ter* to be the Chief Governour of his Church, said
unto him, *Tibi dabo claves regni cœlorum ; quod-
cunque ligaveris super terram, erit ligatum & in
cœlis ; & quodcunque solveris, erit solutum & in cœlis.*
Now it would be considered of your Wildoms,
whether you have sufficient Authority to grant
unto her Highness this first Point of Spiritual
Government, and to say to her, *Tibi dabimus cla-
ves regni cœlorum.* If you say, Yea, then we re-
quire the Sight of your Warrant and Commission
by the Virtue of God's Word : And if you say,
No,

' No, then you may be well assured, and persuade
 ' yourselves, that you have no sufficient Authority
 ' to make her Highness Supreme Head of the Church
 ' here in this Realm. The second Point of Spirit-
 ' ual Government, is gathered of these Words of
 ' our Saviour *Jesus Christ*, spoken unto *Peter* in
 ' the xxi. Chapter of *St. John's Gospel*, *Pasce,*
 ' *Pasce, Pasce.* Now whether your Honours have
 ' Authority, by this High Court of Parliament, to
 ' say unto our Sovereign Lady, *Pasce, Pasce, Pasce,*
 ' you must shew your Warrant and Commission.
 ' And further, that her Highness, being a Woman
 ' by Birth and Nature, is not qualified by God's
 ' Word to feed the Flock of *Christ*, it appeareth
 ' most plainly by *St. Paul* on this wise, saying,
 ' *Taceant Mulieres in Ecclesiis: Non enim permittetur*
 ' *eis loqui, sed subditas esse, sicut dicit lex:* And it
 ' followeth in the same Place, *Quod turpe est muli-*
 ' *eri loqui in Ecclesiis.* And in his first Epistle to *Ti-*
 ' *mothy*, the second Chapter, saith, *Docere, autem*
 ' *Mulieri non permitto, neque dominari in Virum,*
 ' *sed in silentio esse.* Therefore it appeareth, That
 ' like as your Honours have not his Authority to
 ' give her Highness this second Point of Spiritual
 ' Government, to feed the Flock of *Christ*; so, by
 ' *Paul's* Doctrine, her Highness may not inter-
 ' meddle herself with the same. Therefore she
 ' cannot be Supreme Head of *Christ's* Church here
 ' in this Realm. The third and chief Point of Spi-
 ' ritual Government, is gathered of the Words of
 ' our Saviour *Jesus Christ*, spoken unto *Peter*, *Luke*
 ' the xxii. Chapter, *Ego rogavi pro te, ut non defi-*
 ' *ciat fides tua: Et tu aliquando conversus confirma*
 ' *fratres tuos.* Whereby it appeareth, that one
 ' chief Point of Spiritual Government is to confirm
 ' his Brethren, and ratifie them both by wholesome
 ' Doctrine, and Administration of the blessed Sacra-
 ' ments. But to preach or minister the Holy Sa-
 ' craments, a Woman may not; neither may she
 ' be Supreme Head of the Church of *Christ*. The
 ' fourth and last Point of Spiritual Government,
 ' which I promised to observe and note unto you,
 ' doth

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doth consist in Excommunication, and Spiritual Punishment, of all such as shall approve themselves not to be the obedient Children of *Christ's* Church. Of the which Authority our Saviour *Christ* speaketh, in *St. Matthew* the xviii. Chapter, there saying, *Dic Ecclesiæ. Si autem Ecclesiam non audierit, sit tibi tanquam Ethnicus & Publicanus.* And the Apostle *St. Paul* did excommunicate the notorious Fornicator that was amongst the *Corinthians*, by the Authority of his Apostleship. Unto the which Apostles, *Christ*, ascending into Heaven, did leave the whole Spiritual Government of his Church, as it appeareth by the plain Words of *Paul*, in his Epistle to the *Ephesians*, the iv. Chapter: *Ipsè dedit Ecclesiæ suæ quosdam Apostolos, alios Evangelistas, alios Pastores & Doctores, in opus ministerii, in ædificationem corporis Christi.* But a Woman, in the Degrees of *Christ's* Church, is not called to be an Apostle, nor Evangelist, nor to be a Shepherd, neither a Doctor, or Preacher. Therefore she cannot be Supreme Head of *Christ's* militant Church, nor yet of any Part thereof.

Thus much I have here said, Right Honourable and my very good Lords, against this Act of Supremacy; for the Discharge of my Conscience, and for the Love, Dread and Fear, that I chiefly owe unto God and my Sovereign Lady the Queen's Highness, and unto your Lordships all; when otherwise, and without mature Consideration of these Premises, your Honours shall never be able to shew your Faces before your Enemies in this Matter; being so rash an Example and Spectacle in *Christ's* Church, as in this Realm only to be found, and in none other. Thus humbly beseeching your good Honours to take in good Part this rude and plain Speech that I have here used, of much good Zeal and Will, I shall now leave to trouble your Honours any longer.

It does not appear at what Time the former Speech was deliver'd; but, it was on the second Reading of the Bill, that *Scott*, Bishop of *Chester*, stood up and spoke as follows:

My

My Lord, and my Lords all,

Queen Elizabeth,
1558.

Bp. Scott's
Speech against
restoring the
Supremacy.

I Do perceive that this Bill hath now been twice read, and by the Order of this House must be read the third Time. Which Order I think was appointed to be observed for this End, That every Man, being a Member of this House, should fully understand, and so at large speak his Mind and Conscience in the Contents of all the Bills preferred and read here, before that they be enacted and established as Laws. Wherefore I considering that this Bill hath been now twice read, and hath accordingly been spoken unto gravely, wisely and learnedly, by divers of this honourable Company; and that I for my Part as yet have said nothing therein; I shall most humbly desire your good Lordships to give me Leave, and patiently to hear what I have to say, as concerning this present Bill. And yet to confess unto your Lordships the Truth; there be two Things that do much move me, and as it were pull me back from speaking any Thing in this Matter. The first is, That I perceive the Queen's Highness, whom I pray God long to preserve, is as it were a Party therein; unto whom I do acknowledge that I owe Obedience, not only for Wrath and Displeasure's Sake, but for Conscience Sake, and that by the Scriptures of God. The second is, The Reverence I have to those Noblemen, unto whom this Bill was committed to be weighed and considered; whose Doings I assure your good Lordships is a great Comfort not only unto me, but also, as I do think, unto all that be of the Profession that I am of, with many other besides. First, for that their Devotion towards Almighty God doth appear; seeing they will not suffer the Service of the Church, and the due Administration of the holy Sacraments thereof, to be discontinued, or already altered, but to be contained [retained] as they have been heretofore: And, secondly, for that their Charity and Pity, towards the poor Clergy of this Realm, doth appear in

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mitigating the extreame Penalties mentioned in this Bill, for the Gainfayers of the Contents of the same.

But there be two other Things of more Weight, that do move me to speak in this Matter what I think. The first is Almighty God, which I know doth look, that, according to the Profession whereunto (although I be unworthy) I am called, I should speak my Mind in such Matters as this is, when they be called in Question. The second is my Conscience, which doth urge me to do the same.

Wherefore, now to speak of the Matter, this I say, That our Faith and Religion is maintained and continued by no one Thing so much as by Unity, which Unity is continued and maintained in *Christ's Church*, even as Concord and good Order is maintained in a Commonwealth. Wherein as we see for civil Quietness, there is appointed in every Village one Constable. And lest there should any Variance fall amongst them, there is, again, in every Hundred one Head-Constable, in whom all the other Inferiors be as knit in one. And where there be in one Shire divers Hundreds, to make away all Controversies, as might chance amongst the said Head-Constables of these Hundreds, of that they be joined as in one. The Sheriffs likewise be joined in one Prince, which Prince being deprived of his princely Authority, the Unity and Concord of that Realm is dissolved, and every Man chooseth himself a new Lord. Even so it is in the Church of *Christ*, according to the Commandment of *St. Paul*. There is in every Village at the least one Priest; in every City one Bishop, in whom all the Priests within the Diocese be knit in one; in every Province one Metropolitan, in whom, for the avoiding of Controversies, all the Bishops of that Province be joined; and for Unity to be observed amongst the Metropolitans, they be likewise joined in one High Bishop, called the Pope, whose Authority being taken away, the Sheep, as the Scripture

faith,

' faith, be scattered abroad. For avoiding whereof, Queen Elizabeth.
 ' our Saviour *Christ*, before his Death, prayed that 1558.
 ' we might be all one, as his Father and he be one ;
 ' which Thing cannot be, except we have all one
 ' Head. And therefore Almighty God said by the
 ' Prophet *Ezekiel*, *Suscitabo super eos Pastorem unum:*
 ' I will stir up over them one Pastor. And our
 ' Saviour in the Gospel likewise saith, There shall
 ' be one Pastor, and one Sheep-Fold. Which Sen-
 ' tences peradventure some Men will say to be ap-
 ' plied only to our Saviour *Christ*, which, in very
 ' deed, I must needs grant to be so ; yet, this I
 ' may say, These Places be applied to him only,
 ' as other like Places of Scripture be ; for it is said
 ' in the Scripture, that only God is immortal ; and
 ' by Participation with him, all we that be true
 ' Christian Men be made immortal : Only God
 ' forgiveth Sin, and yet, by Commission from him,
 ' Priests have Authority to forgive Sin. He is on-
 ' ly King, and by Commission maketh Kings ; and
 ' likewise he is only Priest after the Order of *Mel-*
 ' *chisedec*, and by Commission maketh Priests : He
 ' of himself, and by none other ; all the rest by him,
 ' and not of themselves. So he is our only Pastor,
 ' and by Commission hath made other Pastors, and
 ' especially one to be Vicar-General on Earth, to
 ' govern and rule all his whole Flock in Unity and
 ' Concord, and in avoiding of Schisms and Divisi-
 ' ons. And likewise as he sent one Holy Ghost,
 ' to rule and govern his People inwardly, so he ap-
 ' pointed one Governor, to rule and lead them out-
 ' wardly.

' Which one Head-Governor cannot be applied
 ' to any Temporal Prince. For then either we must
 ' needs grant that the Church of *Christ* was not
 ' perfect, but rather a mank Body without a Head
 ' by the Space of three hundred Years and more,
 ' (for so long was it after the Death of our Saviour
 ' *Christ* before there was one Christian Prince in
 ' all the World) or else, *Christ* appointed an Infi-
 ' del, being no Member of his Church, to be Head
 ' thereof ; which both be Absurdities. Again, that

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‘ *Christ* appointed no Temporal Prince to be Head
 ‘ of his Church it appeareth, by that we see in di-
 ‘ vers Kingdoms there be divers and sundry Princes
 ‘ and Rulers ; so that there should by that Means
 ‘ be many Heads of one Body, the which were a
 ‘ monstrous Thing. Thirdly, That he appointed
 ‘ no Temporal Prince to be Head of the Church,
 ‘ it appeareth by the Word itself spoken by our Sa-
 ‘ viour *Christ, Pasce, Feed*, which he spoke not to
 ‘ *Herod, Pilate*, nor yet to *Tyberius* the Emperour.
 ‘ But he spoke them unto *Peter*, saying, *Pasce oves*
 ‘ *meas*. And where peradventure some Men will
 ‘ cavil and argue of the *Greek* Word spoken by our
 ‘ Saviour *Christ* in that Place, which doth signify
 ‘ not only to feed, but also to rule and govern ; I
 ‘ answer, that I do not know where that Word is
 ‘ applied unto any Temporal Ruler in the New
 ‘ Testament ; and if it so were, yet it doth not
 ‘ prove their Intent ; for other manifest and plain
 ‘ Places of Scripture do exclude them from such Au-
 ‘ thority, notwithstanding that the same Scripture
 ‘ doth give them very great Authority, command-
 ‘ ing us to obey the same ; declaring withal, that
 ‘ they bear the Sword not in vain, nor without
 ‘ Cause. But now mark this Word *Sword*, which
 ‘ Princes had before the Coming of our Saviour
 ‘ *Christ* ; and that he did give them any further
 ‘ Authority we read not, but left them as he found
 ‘ them. And as he did give them no Spiritual Au-
 ‘ thority, so I do not see that he did take any
 ‘ Temporal Rule from them. Wherefore he com-
 ‘ manded *Peter* to put up his Sword, because he
 ‘ had given him other Instruments to use, wherein
 ‘ was included his Authority, that is to say, the
 ‘ Keys of the Kingdom of Heaven, saying, *Tibi*
 ‘ *dabo claves regni cœlorum*. In these Keys, and in
 ‘ exercising of the same, consisteth all Authority
 ‘ Ecclesiastical given by God unto any Man.
 ‘ Unto whom he hath not by Scripture given these
 ‘ Keys, they have no Right to it. Wherefore it
 ‘ followeth, that no Temporal Prince hath any Au-
 ‘ thority in or over the Church of *Christ*, seeing
 ‘ that

that the Keys were never given unto any of them. Queen Elizabeth.
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And here I know it will be objected against me, that as this Place doth make against the Supremacy of Princes, so doth it not make for the Primacy of St. *Peter*. For St. *John* doth witness, in the 20th Chapter of his Gospel, that our Saviour *Christ* did give the Keys not only to *Peter*, but also unto all his Apostles, when he did breathe upon them, saying, *Accipite Spiritum Sanctum: Take ye the Holy Ghost; whose Sins ye forgive be forgiven to them, and whose Sins ye retain are retained.* And divers of the antient Writers do likewise say, That the Keys were given unto all the Apostles. But yet in one Place or other the same Authors do declare, that they were given unto *Peter* principally, as *Hilarius*, where he saith, speaking of that Matter, *Datæ sunt claves Petro principalius, in quantum erat aliorum Capitaneus.* The Keys (saith he) were given to *Peter* principally, in that he was Chief and Captain of the other. And if that any Man yet will contend, that this Place doth give no more Authority to *Peter* than to the rest of the Apostles, I have read another Place of Scripture, which doth exclude the rest of the Apostles from Equality of Authority with *Peter*, in the Rule and Government of the Church of *Christ*, and that is the changing of his Name: For, at *Peter's* first meeting with our Saviour *Christ*, his Name was *Simon*, as it is there mentioned in these Words, *Simon, the Son of Jona, thou shalt be called Cephas, that is to say, a Stone or a Rock.* And for what Consideration and End *Christ* gave him that Name, it doth appear in the xvi. of St. *Matthew*, in these Words, *Tu es Petrus, &c. Thou art Peter; that is to say, a Stone or a Rock, and upon this Stone or Rock I will build my Church.* Here I shall desire you to note, That *Peter* hath a Promise made unto himself alone, which was made to none other of the Apostles, that is, That as he had received a new Name, so he should have

a new

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‘ a new Privilege or Preferment, to be the Founda-
 ‘ tion, Ground and Stay of Christ’s Church, being
 ‘ builded upon him ; for he was called a *Rock* or
 ‘ *Stone*, for the Stability and Constancy that should
 ‘ always appear in the Church, being builded upon
 ‘ him a sure Foundation and immoveable. Which
 ‘ Thing doth now appear in the Succession of *Peter*:
 ‘ For as concerning the other Apostles, in their
 ‘ own Persons, I do not doubt but during their
 ‘ Lives natural, they were as firm and stable in the
 ‘ Faith of *Christ* as *Peter* was ; but for their Suc-
 ‘ cession we have no such Proof, seeing that only
 ‘ the Succession of *Peter* doth continue in the Church
 ‘ of *Christ*, the like appearing in none of the other
 ‘ Apostles. Which is the only Stay of the same in
 ‘ Earth, and undoubtedly shall be until the World’s
 ‘ End. This Place of Scripture, in my Judgment,
 ‘ if there were no more, is sufficient to prove that
 ‘ *Peter* and his Successors be appointed of *Christ* to
 ‘ have the Rule and Government of his Church in
 ‘ Earth above all others, both Spiritual and Tem-
 ‘ poral ; and yet I do know that there may and also
 ‘ will Objections be laid against these my Sayings.
 ‘ For some will say, that *Christ* himself is the Stone
 ‘ whereupon his Church is builded, and some will
 ‘ say, that the Profession that *Peter* made of *Christ*,
 ‘ when he said, *Thou art the Son of the living God*.
 ‘ Which be both true, and yet not repugnant to
 ‘ that which I have said before: For all these three
 ‘ Understandings, well pondered and considered in
 ‘ their divers Respects, may stand together. But I
 ‘ do think that if the Mind and Intent of our Savi-
 ‘ our *Christ*, when he spake these Words, *Thou art*
 ‘ *Peter*, &c. be well weighed, the Place itself doth
 ‘ declare, that it is specially to be understood of the
 ‘ Person of *Peter* and his Successors. For undoubt-
 ‘ edly he knowing, that Infidelity and Heresies
 ‘ should so encrease and abound, that his Church
 ‘ and Faith should be in Danger to be overthrown
 ‘ and extinguished, made Promise there so to pro-
 ‘ vide by *Peter* and his Successors, that it should be
 ‘ always known where his Faith should be had
 ‘ and

and fought for again, if it were any where lost, Queen Elizabeth,
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unto all Men that would, with Humility, desire,
seek after, and receive the same.

So that we now, if we should understand the
Place of our Saviour *Christ*, which is the first and
true Stone of this Building in very Deed, what
Certainty can we have of our Faith? Or how
shall we stay ourselves, wavering in the same in
this our Time? For at this present there be a-
broad in *Christendom* thirty-four sundry Sects of
Opinions, whereof never one agreeth with ano-
ther, and all differ from the Catholick Church.
And every one of these Sects do say and affirm
constantly, that their Profession and Doctrine is
builded upon *Christ*, alledging Scripture for the
same. And they all and every of them, thus
challenging *Christ* to be their Foundation by Scrip-
ture, how shall any Man know to which of
them he may safely give Credit, and so obey and
follow?

The like is to be said of *Peter's* Confession,
wherein we can have no sure Tryal. For every
one of these Sects or Heresies doth confess and ac-
knowledge *Christ* to be the Son of the living God.
So that I think I may conclude that our Saviour
Christ in this Place, saying, *That he would build*
his Church upon a Stone, did mean by the Stone
Peter and his Successors, whereunto Men might
safely cleave and lean; as unto a sure and an un-
moveable Rock in Matters of Faith; knowing
certainly that in so doing they shall not fall, I
mean in Faith; as we do most manifestly see it
hath come to pass, and continued for the Space
of a Thousand Five Hundred Years and Odd.

I have heard objected here of late against the
Supremacy of *Peter* and his Successors, divers
Reasons which appear unto me to have in them
small Substance; as I trust it shall appear unto
you by the unfolding of the same. And for the
better Understanding of the same, I will bring
them unto three head Places.

Whereof the first doth consist in the wicked
and

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and evil Lives, as it is alledged, of certain Popes of *Rome*; which as I do think were nothing so wicked as they were reported to have been: But let that be, they were so, What then? A Man is a Man, and, as the Scripture sayeth, *Quis est homo qui non peccet*? What Man is he that sinneth not? Again, if that our Saviour *Christ* had made the like Warrant unto *Peter* and his Successors, as concerning their Conversation and Living, as he did for the Continuance and Stability of their Faith, and had said unto *Peter*, *Ego rogavi pro te ut non pecces*, I have prayed for thee that thou shalt not sin; as he said, *Ego rogavi pro te ut non deficiat Fides tua*, I have prayed that thy Faith shall never fail; then their evil Lives had been an Argument to have proved, that they had not been the true Successors of *Peter*, neither had had any such Authority given unto them of God. But seeing that the Warrant was made only for the Continuance of their Faith, wherein they have hitherto, and do yet most constantly stand, without any mention of their Conversation and Living, it is in my Judgment no Proof nor Argument against the Authority and Supremacy of the See of *Rome*; as we see that the Adultery and Murther committed by King *David*, doth not diminish the Authority of godly Psalms written by him; neither the dissolute Living and Idolatry of King *Solomon* is prejudicial to divers Books of Scripture written by him; nor yet the Covetousness of the Prophet *Balaam* did let, in any Condition, the Vertue and Strength of God, the Blessing of God sent unto the Children of *Israel* by him, nor the Truth of the Prophecy, as concerning the coming of our Saviour *Christ*, by him likewise pronounced; even so the Lives of the Popes of *Rome*, were they never so wicked, cannot be prejudicial to the Authority given to *Peter* and his Successors, by the Mouth of our Saviour *Christ*.

The Sum of the Objections secondarily made against his Authority, doth consist (as they do alledge)

ledge) in certain Canons of the Council of *Nicene*, and the sixth Council of *Carthage*, with the Departure of the *Greek* Church, and other Realms now in our Days from the Authority of the said See of *Rome*. As concerning the Council of *Nicene*, I do marvel that they will alledge any Thing therein contained in this Matter, seeing in the Preface of the said Council it is declared, that this Authority which we speak of is given unto the said See by no Councils or Synods; but by the Evangelical Voice of our Saviour *Jesus Christ*: And also the Fathers of the said Council being condescended and agreed in all Matters of Controversy, moved in that their Assembly, wrote unto the Pope, desiring to have their Decrees confirmed by his Authority; as it doth more at large appear in their Epistle written in that Behalf. Further, *Athanasius*, which was present at the said Council, and after Patriarch of *Alexandria*, doth not only acknowledge the Cure and Charge of the universal Church of *Christ* to be given to *Peter* and his Successors, but also being universally deprived, did appeal unto the Pope of *Rome*, and by him was restored again. And likewise the sixth Council of *Carthage* maketh nothing for their Purpose. For the Supremacy of the Pope was not called in Question there, but some Variance there was indeed, which consisteth in this Point only, whether a Bishop or a Priest, being accused and troubled, and thinking himself to have Wrong, might appeal to *Rome* for the better Examination and Tryal of his Cause or no; as one *Appiarius* a Priest had done then in *Africk*. There was alledged for Appellations to be made to *Rome* a Canon of *Nicene* Council, which indeed was fought for and could not be found. Which was no Marvel; for whereas the Fathers in *Nicene* Council made seventy Canons, through the Wickedness of Hereticks, there was then but found remaining only twenty-one. Yet that notwithstanding the Bishops of *Africk* did not long after submit themselves to the Church

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‘ of *Rome* in that Point. Also, they use to inculcate the Authority of this Council, for because that St *Augustine* was present at it ; as he was indeed, which maketh directly against them. For St *Augustine* doth every where in his Works acknowledge the Supremacy of St *Peter* and his Successors ; as in his 162d Epistle, saying thus, *In Romana Ecclesia semper viguit Apostolica Cathedræ Principatus* : In the Church of *Rome* hath always been strengthened, or flourished, the Rule or Authority of the Apostolick Chair.

‘ And where I heard a Question moved here of late, whether that ever the *Greek* Church did acknowledge the Superiority of the Church of *Rome* or no ? Of the which Matter I marvel that any Man doth doubt, seeing that the *Greek* Church did not only acknowledge, but also continue in Obedience under the said Church of *Rome*, by the Space of Eight Hundred Years at the least, so far as I can read myself, or learn of others. And after that it did first renounce the said Authority, it did return again with Submission fourteen several Times, as good Authors write, and as we may partly gather by the Council of *Florence*, which was about a Hundred and forty-one Years ago ; whereas the Patriarch of *Constantinople* himself was present among other Bishops and learned Men of *Greece*, in the which this Matter in Controversy was determined and agreed upon, as it doth manifestly appear in the Canons of the said Council. Moreover, if the *Greek* Church were not under the Authority and Rule of the Church of *Rome*, what shall we think of the Story of *Anthemas*, Patriarch of *Constantinople*, which was deposed for the Heresy of *Eutyches*, by the Pope *Agapetus*. For whose Restitution earnest and long Suit was made by the Empress *Theodora*, that then was, first to the Pope *Silverius*, and after to his Successor *Vigilius*, and could in no Condition be obtained. But as touching the *Greek* Church, and the Departure of the same from the Church of *Rome* ; this we may briefly
‘ say

say and conclude, that after it did divide itself
 from the Church of *Rome*, it did by little and
 little fall into the most extreme Miseries, Capti-
 vity and Bondage; in the which at this present
 it doth remain. And as concerning other Coun-
 tries that have renounced the aforesaid Authority,
 as *Germany*, *Denmark*, and as it was here said,
Polonia; this I have to say, that the Miseries and
 Calamities that *Germany* hath suffered, since their
 Departure from the Church of *Rome*, may be a
 Warning and Example to all other Nations to
 learn by, and beware of the like Attempt. And
 as for *Denmark*, I do hear indeed they be very
Lutherans, and have also renounced the Pope's
 Authority; but yet I cannot learn, nor hear, that
 either the King of *Denmark*, or yet any Prince
 of *Germany*, doth take upon him to be called
Supream Head of the Church. And as for *Polonia*,
 although it be troubled with Heresies, as other
 Realms be, yet I cannot learn, that either the
 King, or the Clergy thereof, hath, or doth give
 any Place to the same, but of the contrary doth
 most earnestly withstand them; as may right
 well appear by certain Books set out this present
 Year, that is 1558, by a Bishop of *Polonia*, call-
 ed *Stanislaus Hosius*; in the which it is declared,
 amongst many other Things, that earnest Suit
 had been made by the Protestants to have three
 Things granted and suffered to be practised within
 that Realm; that is to say, that Priests might
 have Wives; to have the publick Service in their
 Vulgar Tongue; and the Sacrament of the Altar
 ministred under both Kinds; which all three
 were denied them. Whereby it appeareth plainly
 that *Polonia* is not in that Case that Men reported
 it to be in. But and if it were so, that all these
 Realms, yea and more, were gone from the O-
 bedience of that Church, doth it therefore follow
 that the Authority thereof is not just? I think
 not so. For as *Ferdinandus*, now Emperor, de-
 scending justly by Election from *Constantine* the
 Great, if the Empire which was under *Constan-*
tine's

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‘*tine’s* Rule were divided into twenty Parties, it
 ‘ hath scarcely One of the Twenty, and yet the
 ‘ Authority of an Emperor continueth in him still.
 ‘ And as the Departure of *Gascoigny, Guyenne, Nor-*
 ‘ *mandy, Scotland and France*, which were all
 ‘ sometimes under the Imperial Crown of *England*,
 ‘ doth not take away the Authority thereof, but
 ‘ that it is an Imperial Crown still ; even so doth
 ‘ not the Departure of these Countries from the See
 ‘ of *Rome*, diminish the Authority given unto the
 ‘ same by God. Besides that *St Paul* saith, *That*
 ‘ *there shall be a Departing before the Day of Judg-*
 ‘ *ment* ; which although some understand of the
 ‘ Empire, yet the most Part refer it to the Church
 ‘ of *Rome*, from whence Men shall fall and depart
 ‘ by Infidelity and Heresies ; but whether it shall
 ‘ be in all Countries at one Time or divers Times,
 ‘ it is uncertain.

‘ Thirdly, there is alledg’d a Provincial Council
 ‘ or Assembly of the Bishops and Clergy of this
 ‘ Realm of *England* ; by whom the Authority of
 ‘ the Bishop of *Rome* was abolished and disannull’d.
 ‘ Which now some inculcate against us, as a Mat-
 ‘ ter of great Weight and Authority ; whereas in
 ‘ very Deed it is to be taken for a Matter of small
 ‘ Authority, or else none. For first, we know
 ‘ that a particular or a Provincial Council can make
 ‘ no Determination against the universal Church
 ‘ of *Christ*. Secondly, of the learned Men that
 ‘ were the Doers there, so many as be dead, before
 ‘ they died were penitent, and cryed God Mercy
 ‘ for that Act : And those that do live, as all your
 ‘ Lordships do know, have openly revoked the
 ‘ same, acknowledging their Error. And where
 ‘ some here doth say, that they will never trust
 ‘ those Men which once denied the Pope’s Autho-
 ‘ rity, and now of the contrary stand in the De-
 ‘ fence of the same ; in my Judgment their Sayings
 ‘ be not greatly to be allowed. For it may happen,
 ‘ as oftentimes it doth chance indeed, that a Man
 ‘ of Honesty, Worship, ye of Honour, may
 ‘ commit Treason against his Prince, and yet by
 ‘ the

the Goodness of the same Prince be pardoned for
 that Offence ; shall we determinately say, that
 Man is never after to be trusted in the Prince's
 Affairs ? Nay, God forbid, but rather think of
 the contrary ; that he which once hath run so
 hastily and rashly, that he hath overthrown him-
 self and fallen, and broken his Brow or his Shin,
 will after that take heed to walk more warily. As
 we learn at the Apostles of our Saviour *Christ*,
 which did all forsake him and run away, when
 he was apprehended and brought before the *Jews*,
 and specially of St *Peter*, which did thrice deny
 him. And yet after, as well *Peter* as all the rest
 of the Apostles, did return again to their Master
Christ ; and never would after, for neither Per-
 secution nor Death, forsake or deny him any
 more. So that it may appear, although Men
 have once gone astray, if they return to the
 Truth again, their Testimonies in the Truth be
 not to be discredited. And so I trust that you see
 that all these Reasons and Objections, made a-
 gainst the Authority of the Church of *Rome*, be
 of none Effect, if they be indifferently weighed
 and considered.

And whereas there was a Reason made here,
 that a Temporal Prince, unto whom no Eccle-
 siastical Jurisdiction or Rule is given or commit-
 ted by God, cannot himself be Head of the
 Church of *Christ* ; so he cannot substitute nor
 appoint another to exercise any such Jurisdiction
 or Authority in Spiritual Matters, in or over the
 Church of *Christ* under him : For as it was then
 said, no Man can give to another that Thing
 which he hath not himself : Whereunto this An-
 swer was made, That a Prince may give to ano-
 ther that Authority which he hath not himself,
 neither may exercise ; as for Example, they al-
 ledge, that a King of himself is not a Judge, and
 yet he hath Authority to appoint Judges to mi-
 nister Justice. And likewise they said, that a
 King himself is no Captain, and yet hath Autho-
 rity to appoint Captains under him, for Defence
 of

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of his Realm and Overthrow of his Enemies ;
and even so, say they, he may appoint and substitute one under him to exercise Spiritual Jurisdiction, although he have no such Authority himself. Which Reasons appear unto me not only to be very weak and feeble, but also to be plain false and against Scripture ; which doth declare, that the Office of a King doth consist especially in these two Points, which these Men deny to be in him ; that is, playing of the Judge, and ministring of Justice to his Subjects ; and likewise in playing the valiant Captain, in defending of the same his Subjects from all Injury and Wrong ; as the 8th Chapter of the first Book of *Kings* declareth in these Words ; *Judicabit Rex nos noster, et egredietur ante nos, et pugnabit Bella nostra pro nobis*, that is, *Our King shall judge us, and he shall go forth before us and he shall fight our Battles for us*. And likewise *Nathan* said unto *David's* own Person, *Responde mihi Judicium* ; Make me answer according to Justice. And likewise *Solomon* himself did give Sentence and Judgment between the two common Women, which of them two was the Mother of the Child which was alive. And as for to prove that those Kings, with other in the Old Testament, were Captains themselves in the Defence of their Realms, is more manifest than I shall need to travel in proving of the same.

And thus to draw unto an End, I trust your Lordships do see, that for Unity and Concord in Faith and Religion, to be preserved and continued in the Church, our Saviour *Christ*, the Spouse thereof, hath appointed one Head or Governor, that is to wit, *Peter* and his Successors, whose Faith he promised should never decay, as we see manifestly it hath not indeed. And for those Men which write and speak against this Authority, if therewith their Writings and their Doings be well considered, they shall appear to be such, as small Credit or none is to be given unto in Matters of Weight, such as this is. For who

so

' so readeth the third Chapter of the second Epistle Queen Elizabeth,
 ' of St Paul to Timothy, may see them there lively 1558.
 ' described with their Doings. And specially one
 ' Sentence therein may be applied and verified of
 ' them most justly, that is, *Semper discetes, et*
 ' *nunquam ad Scientiam Veritatis pervenientes*, that
 ' is to say, Always learning and never coming to
 ' the Knowledge of Truth. For as we see them
 ' vary amongst themselves, one from another, so
 ' no one of them doth agree with himself in Mat-
 ' ters of Religion two Years together. And as they
 ' be gone from the sure Rock and Stay of *Christ's*
 ' Church, so do they reel and waver in their Doc-
 ' trine, wherein no Certainty nor Stay can be
 ' found. Whereof St Paul doth admonish us, and
 ' teach us in the Person of his Scholar Timothy, to
 ' be constant in Doctrine and Religion, and not to
 ' follow such Men. For after, in the same Chap-
 ' ter, he saith thus, *Tu vero permane in iis quæ didi-*
 ' *cisti, et quæ credita sunt tibi, sciens a quo didiceris.*
 ' But as for thee, saith St Paul, speaking unto every
 ' Christian Man in the Person of Timothy, continue
 ' in those Things which thou hast learned,
 ' and which be credited unto thee, knowing of
 ' whom thou hast learned them. In which Words
 ' we might understand, that St Paul doth not
 ' move any Man to continue in any false or untrue
 ' Doctrine. Wherefore he moveth every Man to
 ' consider, not only his Religion and Doctrine, but
 ' also, or rather, the Schoolmaster of whom he
 ' learned the same. For of the Knowledge, Con-
 ' stancy, and Worthiness of the Schoolmaster, or
 ' Teacher, may the Doctrine, taught by him, be
 ' known to be good and sound, or otherwise. Now
 ' if a Man should ask of these Men in this Realm,
 ' which dissent from the Catholick Church, not
 ' only in this Point of the Supremacy, but also in
 ' divers of the chief Mysteries of our Faith; of
 ' whom they learn'd this Doctrine which they hold
 ' and teach, they must needs answer, that they
 ' learned it of the *Germans*. Then we may de-
 ' mand of them again, of whom the *Germans* did
 ' learn

Queen Elizabeth.
1558.

learn it? Whereunto they must answer, that they learn'd it of *Luther*. Well, then of whom did *Luther* learn it? Whereunto he shall answer himself, in his Book that he wrote, *De Missa angulari, seu privata*; where he saith, That such Things as he teacheth against the Mass, and the blessed Sacrament of the Altar, he learned of *Satan*, the Devil. At whose Hands, it is like, he did also receive the rest of his Doctrine. Then here be two Points diligently to be noted; first, That this Doctrine is not fifty Years old, for no Man taught it before *Luther*. And secondarily, That *Luther* doth acknowledge and confess the Devil to be his Schoolmaster in divers Points of his Doctrine. So that if Men would diligently mind *St Paul's* Words, where he biddeth us *Know of whom we have learned* such Doctrine as we hold, they would refuse this perverse and wicked Doctrine, knowing from whom it came. But if they will ask us of whom we learned our Doctrine, we answer them, that we learned it of our Forefathers in the Catholick Church, which hath in it continuedly the Holy Spirit of God for a Ruler and Governor. And again, if they ask of whom our Fathers learned this same, we say of their Forefathers within the same Church. And so we manually ascend in Possession of our Doctrine, from Age to Age, unto the Apostle *Peter*, unto whom, as *St Cyprian* saith, our Saviour *Christ* did betake his Sheep to be fed, and upon whom he founded his Church.

So that now we may be bold to stand in our Doctrine and Religion against our Adversaries, seeing that theirs is not yet fifty Years old, and ours above fifteen hundred Years old. They have for Authority and Commendation of their Religion, *Luther* and his Schoolmaster before mentioned; we have for ours *St Peter* and his Master *Christ*. So that now, by the Doctrine of *Irenæus*, every Man may know where the Truth is, and whom he should follow; which saith thus, *Eis, qui in Ecclesia sunt Presbyteris, obedire oportet;*
his

his qui Successionem habent ab Apostolis, qui cum ^{Queen Elizabeth,}
episcopali Successione Charisma Veritatis certum se- ^{1558.}
cundum placitum Patris acceperunt; reliquos vero
qui abfistunt a principali Successione, et quocunque
Loco colliguntur, suspectos habere, vel quasi Hære-
ticos, et malæ Sententiæ, vel quasi studentes [par-
tium] et elatos sibi placentes: Aut rursus ut Hypo-
critas Quæstus gratia et vanæ Gloriæ hoc operan-
tes; qui omnes decidunt a Veritate. That is, 'To
those Priests, which be in the Church, we ought to
obey, those which have their Succession from the
Apostles, who with Bishop-like Succession, have
received a sure gracious Gift, according to the
Good-will of the Father. But for the other,
which depart from the principal Succession, and
be gathered in whatsoever Place, we ought to
hold them suspected, either as Hereticks and of
an evil Opinion, or as making Divisions, and
proud Men, and pleasing themselves; or again
as Hypocrites, doing that for Advantage and
vain Glory, which all do fall from the Truth.'
And thus I make an End, most humbly thanking
your good Lordships for your gentle Patience;
desiring the same likewise to weigh and consider
these Things which I have spoken, as shall be
thought good to your Wifdoms.'

Amongst the Temporal Lords, in the Opposition
to the Bill of Supremacy, *Anthony Brown*, Viscount
Montacute, (who had been sent to *Rome*, in the last
Reign, by the Parliament, along with *Thurlby*, Bi-
shop of *Ely*, to procure that *England* might be re-
stored to the Unity of the Church of *Rome*, and O-
bedience to the Apostolic See;) out of a Sentiment
of Zeal and Honour, says *Cambden*, spoke, in the
Debate, to this Effect:

'That it would be a very disgraceful Reflec-
tion upon *England*, which was so lately and so ^{Lord Montacute's}
well reconciled to the Apostolic See, to make so ^{Speech on the}
sudden a Revolt from it. And, moreover, the ^{same Subject.}
Hazard would be as great as the Scandal, should
the Pope thunder out his Excommunication; and
expose the Nation, by that Means, to the Refent-

Queen Elizabeth.
1558.

‘ment of its neighbouring Enemies, upon the Score
‘of this Defection. That he, for his Part, and by
‘Authority of Parliament, and in the Name of the
‘whole Body of *England*, rendered Obedience to
‘the Pope; the Performance of which he could
‘by no Means dispense with. He, therefore, con-
‘jured them, with great Importunity, not to with-
‘draw themselves from the See of *Rome*; to
‘which they were beholden for the first *Chris-
‘tian* Faith, and the constant Defence of it ever
‘since.’

What Success all these Speeches had needs no Ex-
planation; the Bill passed into a Law; and is the
first amongst our printed Statutes of this Reign.
This Act renews all the Laws of King *Henry VIII.*
which Queen *Mary* had repealed, as well as those
of King *Edward VI.* in Favour of the *Reformation*.
By it is declared, ‘That whatever Rights, Privi-
‘leges or Spiritual Preheminences, had been former-
‘ly in Use, and established by any Ecclesiastical
‘Authority whatever; for visiting the Clergy and
‘correcting all Kinds of Error, Heresie and Schism;
‘with other Abuses and Disorders, should be for
‘ever annexed to the Imperial Crown of *England*.
‘That the Queen and her Successors might be im-
‘powered to give their Letters Patents to some par-
‘ticular Persons, for the due Exercise of that Au-
‘thority; on this Condition, however, that they
‘should not determine any thing to be Heresy, but
‘what had been so defined Time out of Mind, ei-
‘ther from Canonical Scripture, the four first Oe-
‘cumenical Councils, or some other, according to
‘the genuine Sense of Holy Writ; or should, here-
‘after, be so defined, by Authority of Parliament,
‘with the Consent of the *English* Clergy, in Con-
‘vocation. That all Ecclesiastical Persons and
‘Magistrates, who received Pensions from the Ex-
‘chequer; such as should take any Degree in the
‘Universities; Wards that were to sue their Li-
‘veries and be invested in their Estates; and such
‘as were to be admitted into the Queen’s Service,
‘&c. should take an Oath to acknowledge the
‘Queen to be the Supreme Governour of her
‘Kingdoms

- * Kingdoms, in all Causes, as well Spiritual as Civil.
- * Lastly, all foreign Princes and Potentates are by this Act wholly excluded the Privilege of taking Cognizance of any Cause within her Dominions.

Queen Elizabeth.
1558.

By one Clause in this Act, the Queen and her Successors are impowered to erect a *High Commission Court* for the Exercise of all Ecclesiastical Jurisdiction. For the particular Power of this Court, we refer to the Act itself; since it was not set on Foot till the 18th of this Reign.

In order to strengthen Queen *Elizabeth's* Title still the more, a Bill was brought into the House of Lords, *February* 10th, whereby the Queen is made inheritable to the late Queen *Anne* her Mother; which afterwards passed into a Law. On the 11th of the same Month, two Bills were sent up by the Commons; the one for a Subsidy of two *Fifteenths* and two *Tenths*, granted by them, the other for Tonnage and Poundage given also for Life. The first was returned, passed by the Lords, with some Corrections inserted, *February* 16th; and the latter, ^{A Subsidy.} on the 20th, was also sent down, with certain Amendments, added to it, which were all agreed to by the Commons (a).

A Petition was deliver'd (b) to the Lords, by the Knights and Burgeses of the *Welsh* Shires, and the County *Palatine* of *Chester*, praying to be respited, and have longer Time allow'd them, for the Payment of the Subsidies and Myses charged upon those Counties. The Lords thought proper to move the Queen, about this Matter, by the Lord Keeper, to know her Majesty's Pleasure herein; which, after they understood, an Order was made that the said Counties should be allow'd a Year's Time, after the Assessment of these Taxes was laid by the Commissioners, to discharge them in. And this Award was ordered to be enter'd in their *Journal*.

In the said *Journals* is also an Entry made, relating to the Privileges of the Peers (c):

D d 3

* Whereas

(a) It is strange that Mr *Cambden* takes no Notice of this Subsidy.

(b) *Feb.* 15th.

Queen Elizabeth.
1558.

Resolution relating to Privilege of Peers.

‘ Whereas one *John Broxham* hath brought one
‘ Assize against the Lord *Willoughby* of *Parham*, to
‘ be tried at and in the Assizes and Sessions, now
‘ next to be holden at *Lincoln*. Upon Complaint
‘ and Petition of the said Lord *Willoughby*, for that
‘ he necessarily attendeth the Parliament, so as he
‘ cannot with his learned Council, some of whom
‘ likewise be Burgesses of this Parliament, be at
‘ the said Sessions and Assizes. It is therefore ordered and decreed, by the Lords in Parliament,
‘ that an Injunction presently be awarded out of
‘ the Chancery, to the said *John Broxham*, his
‘ Counsellors and Attornies, commanding them
‘ and every of them, upon the Pain of 500*l.* that
‘ they nor none of them in any wise proceed in and
‘ to that Tryal of the said Assize, at this Assizes
‘ now next to be holden at *Lincoln* aforesaid.

On the 4th of *February* a Motion was made in the House of Commons, to address her Majesty on the Subject of her Marriage. This was seconded by several; tho’ the Substance of the Arguments made use of on this Occasion are omitted in the *Journal*. But we find that on the 6th it was agreed by the whole House, that thirty of their Members should go with their Speaker, and attend upon the Queen that Afternoon with their Address. However it was not presented till *Feb.* 10th, to try to get the Peers to second it; but they, says *Camden*, refused, for fear they should be suspected of a Design to serve their own Ends by it. Wherefore, on the Day aforesaid, Sir *Thomas Gargrave*, the Speaker, and the Committee, waited upon the Queen, when he deliver’d himself to her in these Words:

May it please the Queen’s Highness,

The Commons
address the Queen
to marry.

‘ **T**here is nothing that we more earnestly desire of God in our daily Prayers, than that
‘ the Happiness we have hitherto enjoy’d, in the
‘ Equity and Justice of your Majesty’s Government, may be continued to this Nation down to
‘ the

(c) *Feb.* 21st.

the latest Posterity. But how to effect this, amidst
all the Variety of our Aims and Endeavours, we
must profess ourselves at a Loss, unless either your
Majesty were to reign for ever, (a Blessing which
twere in vain to hope for) or would vouchsafe
to accept some Match capable of supplying Heirs
to your Royal Virtues and Dominions, which
God grant, since it is the hearty and united Wish
of all your Subjects. It ought to be the main
Concern of Persons of all Ranks and Degrees
whatever, (of Princes especially) that, since they
are mortal themselves, they may secure the King-
dom from that Fate. Now it is in your Maje-
sty's Power to confer this Kind of Immortality
upon your Kingdom of *England*, by accepting a
Husband, who may prove a Support and Comfort
to you, in all Changes of Fortune; besides that
your Majesty's Temper and Age, Person and
Fortune, seem to plead hard for such a Change
of State. For it cannot be doubted, but the sin-
gle Zeal and Assiduity of such a Relation will dis-
patch more Business, and to better Purpose, than
the joint Endeavours of a great many, who are
less concern'd. Nor indeed can any Thing have
a worse Influence upon the Publick, than that a
Princess, whose Marriage must needs produce the
Twin-Blessings of Peace and Safety to a Kingdom,
should, like a Nun profess, condemn herself to
a single State. Since your Majesty has receiv'd
the Kingdom by way of Inheritance from your
Royal Ancestors, you ought to continue it down
to such, as may prove the Glory and the Security
thereof. Besides, the Kings of *England* have
ever shewn a more than ordinary Concern, that
the Royal Family might not be extinct for Want
of Issue: Hence was it, that your Royal Grand-
father, *Henry VII.* did (within our freshest Me-
mory) provide suitable Matches for his Sons *Ar-
thur* and *Henry*, tho' they were both very young.
And for the same Reason, your Royal Father
courted *Mary* Queen of *Scots*, for his Son Prince
Edward,

Queen Elizabeth.
1558.

ANALYSIS OF THE DOCUMENTS OF THE 1840s

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The first of the documents is a letter from the Secretary of the American Anti-Slavery Society to the Secretary of the British and Foreign Anti-Slavery Society. It is dated 1840 and is a very important document in the history of the anti-slavery movement. It discusses the state of the anti-slavery cause in America and the need for more action. The letter is written in a very formal and polite style, but it is also very direct and clear. It is a good example of the kind of writing that was common in the 1840s.

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' I am not at all sorry, in it shewing the Queen Elizabeth
1552.
 ' the use of your Penner, in the writing the
 ' Book of Hours, under Challenge, or rather a
 ' copy of the same, in Prince's Indignation,
 ' and so, in your day before mine Eyes, by
 ' words more, and less, in folly may be
 ' felt, for I am not now one, or of the whole
 ' but to use in my better heart, I will not now
 ' say any farther more, because I will not charge
 ' you more, I am not that, I say, could have drawn
 ' you further from the Kind of Life, I had not
 ' seen you in the State wherein you be now
 ' but to constant have I always continued in this
 ' to continue, still my Youth and Wounds
 ' may keep to keep hardly together, yet
 ' I am not now, that at this Day I stand free from
 ' any other Manner, that other I have had in
 ' your past, or have at this present, with which
 ' I am not that, who both hitherto herein you
 ' have not but me by the Hand, will not of his
 ' Capable suffer me to go alone

' For the other Part, the Manner of your Post
 ' must do well like, and take it in good Part, be
 ' cause it is simple, and contains no Libitation
 ' of Place or Person. It is had been otherwise, I
 ' must needs have mistook it very much, and
 ' thought it to have been a very great Presumption, being
 ' undid, and altogether unmeet for you to require
 ' them, that may command you, or those to ap-
 ' peal, whose Parts are to be done, or such to bind
 ' and bind, whose Parts are to be done, or to take
 ' upon you to show my Love to your Sibling, or
 ' to me my Will according to your Fantasy, for a
 ' man who is contented, and still freely given, can
 ' never open together. Nevertheless, if any of
 ' you be to be done, whosoever it may please God
 ' to be the my them to another Kind of Life, you
 ' may well think yourselves, my Meaning is not
 ' to determine any thing, wherewith the Realm
 ' may or shall have not cause to be discontent.
 ' And therefore put that clean out of your Heads.

• For

Queen Elizabeth.
1558.

‘ *Edward*, who was then but eight Years old.
‘ And it is not very long since your Sister Queen
‘ *Mary*, though pretty well advanced in Years,
‘ was married to *Philip* of *Spain*. Now, if the Lot
‘ of Barrenness, whether it fell to the Share of Prin-
‘ ces or Peasants, was always looked on as the most
‘ grievous Misfortune, what a weighty Guilt must
‘ that Princess contract, who shall make this Pu-
‘ nishment her Option ; from whence innumerable
‘ Evils must arise to the Commonwealth, and such
‘ Misfortunes as are not even to be thought of
‘ without Dread and Horror.. That Matters may
‘ never come to this sad Pass, not only the small
‘ Number of us that are here present, but all *Eng-
‘ land* in general, and every one of your Subjects
‘ in particular, cast themselves at your Majesty’s
‘ Feet, and with the deepest Concern tender this
‘ humble but pressing and earnest Address.’

Camden hath only given us an Abstract of the
Queen’s Answer to this Speech in the Body of his
History ; but, as in such high Matters as these we
cannot be too circumstantial, we shall give it at
large, as it is preserved in *Dewe’s Journal*.

Her Majesty’s
Answer.

Gentlemen,

‘ **A**S I have good Cause, so do I give you all
‘ my hearty Thanks, for the good Zeal and
‘ loving Care you seem to have, as well towards
‘ me as to the whole Estate of your Country. Your
‘ Petition, I perceive, consisteth of three Parts, and
‘ my Answer to the same shall depend of two.

‘ And to the first Part, I may say unto you,
‘ That from my Years of Understanding, since I first
‘ had Consideration of myself to be born a Servant
‘ of Almighty God, I happily chose this Kind of
‘ Life in the which I yet live ; which, I assure you,
‘ for mine own Part, hath hitherto best contented
‘ myself, and I trust hath been most acceptable un-
‘ to God ; from the which, if either Ambition of
‘ high Estate offer’d to me in Marriage, by the
‘ Pleasure and Appointment of my Prince, (where-
‘ of I have some Record in this Presence, as you
‘ our

our Treasurer well know) or if eschewing the
 Danger of mine Enemies, or the avoiding the
 Peril of Death, whose Messenger, or rather a
 continual Watchman, the Prince's Indignation,
 was no little Time daily before mine Eyes, by
 whose means, altho' I know, or justly may sus-
 pect, yet I will not now utter; or if the whole
 Cause were in my Sister herself, I will not now
 burthen her therewith, because I will not charge
 the Dead; if any of these, I say, could have drawn
 or dissuaded me from this Kind of Life, I had not
 now remain'd in this Estate wherein you see me:
 But so constant have I always continu'd in this
 Determination, altho' my Youth and Words
 may seem to some hardly to agree together, yet
 is it most true, that at this Day I stand free from
 any other Meaning, that either I have had in
 Times past, or have at this present; with which
 Trade of Life I am so thoroughly acquainted,
 that I trust God, who hath hitherto herein pre-
 serv'd and led me by the Hand, will not of his
 Goodness suffer me to go alone.

Queen Elizabeth.
 1558.

For the other Part, the Manner of your Peti-
 tion I do well like, and take it in good Part, be-
 cause it is simple, and containeth no Limitation
 of Place or Person: If it had been otherwise, I
 must needs have misliked it very much, and
 thought it in you a very great Presumption, being
 unfitting and altogether unmeet for you to require
 them, that may command you; or those to ap-
 point, whose Parts are to desire; or such to bind
 and limit, whose Duties are to obey; or to take
 upon you to draw my Love to your Liking, or
 frame my Will according to your Fantasy; for a
 Guerdon constrain'd, and Gift freely given, can
 never agree together. Nevertheless, if any of
 you be in Suspect, whensoever it may please God
 to incline my Heart to another Kind of Life, you
 may well assure yourselves, my Meaning is not
 to determine any Thing, wherewith the Realm
 may or shall have just Cause to be discontent.
 And therefore put that clean out of your Heads.

For

Queen Elizabeth.
1559.

‘ For I assure you, (what Credit my Assurance may
‘ have with you I cannot tell, but what Credit it
‘ shall deserve to have the Sequel shall declare) I will
‘ never in that Matter conclude any Thing, that
‘ shall be prejudicial to the Realm. For the Weal,
‘ Good and Safety whereof, I will never shun to
‘ spend my Life ; and whomsoever it shall be my
‘ Chance to light upon, I trust he shall be such, as
‘ shall be as careful for the Realm as you ; I will not
‘ say as myself, because I cannot so certainly de-
‘ termine of any other, but by my Desire he shall
‘ be such as shall be as careful for the Preservation
‘ of the Realm and you, as myself. And albeit it
‘ might please Almighty God to continue me still
‘ in this Mind, to live out of the State of Marriage,
‘ yet is it not be fear’d, but he will so work in my
‘ Heart, and in your Wisdom, as good Provision,
‘ by his Help, may be made, whereby the Realm
‘ shall not remain destitute of any Heir that may
‘ be a fit Governor, and peradventure more bene-
‘ ficial to the Realm, than such Offspring as may
‘ come of me : For tho’ I be never so careful of
‘ your well-doing, and mind ever so to be, yet may
‘ my Issue grow out of kind, and become perhaps
‘ ungracious. And in the End, this shall be for
‘ me sufficient, that a Marble Stone shall declare,
‘ that a Queen having reign’d such a Time, liv’d
‘ and dy’d a Virgin. And here I end, and take
‘ your coming to me in good Part, and give unto
‘ all my hearty Thanks ; more yet for your Zeal
‘ and good Meaning than for your Petition.’

Act for exchange-
ing Lands of Bi-
shopricks.

On the 8th of *April* a Bill was read a third Time
in the House of Lords, giving Authority to the
Queen’s Highness, upon the Avoidance of any
Archbishoprick or Bishoprick, to take into her
Hands certain of the Temporal Possessions thereof,
recompencing the same with Parsonages impropri-
ate, Tenth, &c. The Bill was concluded, the
Archbishop of *York*, the Bishops of *London*, *Win-*
chester, *Worcester*, *Coventry*, *Exeter*, and *Chester*,
dissenting. It afterwards passed into a Statute. But
we must refer to the Act itself, and the more gene-
ral

ral Ecclesiastical Historians, particularly Mr *Collier*, Queen Elizabeth.
for an Explanation of this Statute. 1559.

The rest of the Acts passed in this Session of Parliament, that are worth Notice, are these; An Act relating to the offering Violence against the Queen's Person. An Act for the Uniformity of Common Prayer and Service in the Church, and the Administration of Sacraments. By this Act, the Liturgy and the Sacraments, establish'd in *Edward VIth's* Time, were to be used and administred in all Churches, with very little Variation, under a certain Penalty to such as should presume to corrupt them, or resort to any other. There passed, likewise, another, for frequenting publick Service, on *Sundays* and *Holydays*, on Pain of 12d. Forfeiture, to be employ'd for the Use of the Poor.

Against the Bill for the Liturgy, we have two other Speeches, in Mr *Strype's Annals* (d), made by two zealous Catholic Divines, Dr *Feckenham*, Abbot of *Westminster*, the last of his Order that ever spoke in that House; and the same Dr *Scott*, Bishop of *Chester*; which, without any more Apology, we give in their own Words. And first the Abbot:

Honourable and my very good Lords,

‘ **H**AVING at this present two sundry Kinds of
‘ Religion here propounded and set forth be- Abbot Fecken-
‘ fore your Honours, being already in Possession of ham's Speech a-
‘ the One of them, and your Fathers before you, for gainst the Litar-
‘ the Space of fourteen Hundred Years past here gy.
‘ in this Realme, lyke as I shall hereafter prove un-
‘ to you; the other Religion here set in a Book
‘ to be received and established by the Authority of
‘ this High Court of Parliament, and to take its
‘ Effect here in this Realm at *Midsummer* next
‘ coming. And you being, as I know, right well
‘ desirous to have some Proof or sure Knowledge,
‘ which of both these Religions is the better, and
‘ most worthy to be established here in this Realm,
‘ and to be preferred before the other; I will for
‘ my Part, and for the Discharge of my Duty,
‘ first,

(d) *Annals of the Reformation*, Vol. I, in the *Appendix*.

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‘ first, unto God; secondly, unto our Sovereign Lady the Queen’s Highness; thirdly, unto your Honours and to the whole Commons of this Realm; here set forth and expresse unto you, three brief Rules and Lessons, whereby your Honours shall be able to put Difference betwixt the true Religion of God and the Counterfeit, and therein never be deceived. The first of these three Rules or Lessons is, that in your Search and Tryal-making, your Honours must observe, which of them both hath been of most Antiquity, and most observed in the Church of *Christ*, of all Men, at all Times and Seasons, and in all Places. The second, which of them both is of itself more steadfast, and always forth one and agreeable with itself. The third and last Rule to be considered of your Wisdoms is, which of these Religions doth breed the more humble and obedient Subjects, first unto God, and next unto our Sovereign Lady the Queen’s Highness, and all superior Powers.

‘ Concerning the first Rule and Lesson, it cannot be truly affirmed or yet thought of any Man, that this new Religion, here now to be set forth in this Book, hath been observed in *Christ’s* Church of all Christian Men, at all Times and in all Places; when the same hath been observed only here in this Realm, and that for a short Time, as not much passing the Space of two Years, and that in King *Edward* the sixth his Days; whereas the Religion, and the very same Manner of serving and honouring of God, of the which you are at this present in Possession, did begin here in this Realm 1400 Years past in King *Lucius’s* Days, the first Christian King of this Realm; by whose humble Letters sent to the Pope *Elutherius*, he sent to this Realm two holy Monks, the one called *Damianus*, the other *Faganus*; and they, as Embassadors sent from the See Apostolick of *Rome*, did bring into this Realm so many Years past, the very same Religion whereof we are now in Possession; and in the *Latin* Tongue, as the ancient Historiographer *Gildas* witness-

* witnesseth, in the Prologue and Beginning of his ^{Queen Elizabeth,}
 * Book of the *Britain-History*. And the same Re- ^{1559.}
 * ligion so long ago begun, hath had this long Con-
 * tinuance ever since here in this Realm; and not
 * only of the Inhabitants thereof, but also generally
 * of all Christian Men, and in all Places of *Christen-*
 * *dom*, until the late Days of King *Edward* the
 * sixth as is aforesaid. Whereby it appeareth unto
 * all Men that list to know, how that by this Rule
 * and Lesson, the ancient Religion and Manner of ser-
 * ving of God, (whereof we are already in Possession)
 * is the very true and perfect Religion, and of God.

* Touching the second Rule and Lesson of Try-
 * al-making and Probation, whether of both these
 * Religions is the better and most worthy of Ob-
 * servation here in this Realm, is this, That your
 * Honours must observe which of both these is the
 * most stayed Religion, and always forth one, and
 * agreeable with itself. And that the new Religion
 * here now to be set forth in this Book, is no stayed
 * Religion, nor always forth one, nor agreeable
 * with itself, who seeth it not; when in the late
 * Practice thereof in King *Edward* the 6th's Days,
 * how changeable and how variable was it in and
 * to itself? Every other Year having a new Book
 * devised thereof; and every Book being set forth,
 * as they professed, according to the sincere Word
 * of God, never any one of them agreeing in all
 * Points with the other: The first Book affirming
 * the Seven Sacraments, and the real Presence of
 * *Christ's* Body in the Holy Eucharist; (d) the other
 * denying the same: The one Book admitting the
 * real Presence of *Christ's* Body in the said Sacra-
 * ment to be received in one Kind with kneeling
 * down, and great Reverence done unto it, and
 * that in unleavened Bread; and the other Book
 * would have the Communion received in both the
 * Kinds, and in Loaf Bread (e), without any Reve-
 * rence, but only unto the Body of *Christ* in Hea-
 * ven. But the Thing most worthy to be observ-
 * ed

(d) This is utterly false, as may be seen in that first Book, called,
The Order of the Communion, in Bp. Sparrow's Collections. *Strype.*

(e) The Copy in the *Benet* Coll. Library, reads, *In Leaven*
Bread. *Ibid.*

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ed of your Honours is, how that every Book made a shew to be set forth according to the sincere Word of God, and not one of them did agree with another. And what marvel, I pray you, when the Authors and Devisors of the same Books could not agree amongst themselves, nor yet any one of them might be found that did long agree with himself? And for the Proof thereof, I shall first begin with the *German Writers*, the chief Schoolmasters and Instructors of our Countrymen in all these Novelties.

And I do read in an Epistle which *Philip Melancthon* did write unto one *Frederico Miconino*, how that one *Carlostadius* was the first Mover and Beginner of the late Sedition in *Germany*, touching the Sacrament of the Altar, and the Denying of *Christ's* real Presence in the same. And when he should come to interpret those Words of our Saviour *Christ*; *Accipit Panem, benedixit, fregit, deditque Discipulis suis, dicens, accipite, et comedite, hoc est Corpus meum, quod pro vobis tradetur;* *Digito*, inquit ille, *monstravit visibile Corpus suum*. By which Interpretation of *Carlostadius*, *Christ* should with the one Hand give unto his Disciples Bread to eat, and with the other Hand point unto his visible Body that was there present, and say, *This is my Body, which shall be betrayed for you*. *Martin Luther*, much offended with this foolish Exposition made by *Carlostadius*, of the Words of *Christ*, *Hoc est Corpus meum*, he giveth another Sense, and saith that *German*, *Sensus Verborum Christi*, was this, *Per hunc Panem, vel cum isto Pane, En! Do vobis Corpus meum*. But *Zwinglius* finding much Fault with the Interpretation of *Martin Luther*, writeth, that *Luther* therein was much deceived, and how that in these Words of *Christ*, *Hoc est Corpus meum*, the Verb Substantive *est* must be taken for *significat*, and this Word *Corpus*, (*quod pro vobis tradetur*) must be taken *pro Figura Corporis*. So that the true Sense of these Words of *Christ*, *Hoc est Corpus meum*, by

• *Zwing-*

“ Zwinglius’s Supposal is, *Hoc significat Corpus me-* Queen Elizabeth.
 “ *um, vel est Figura Corporis mei.* Peter Martyr 1559.
 “ being of late here in this Realm, in his Book by
 “ him set forth, of the Disputation which he had
 “ in Oxford, with the learned Students there of
 “ this Matter, giveth another Sense of these Words
 “ of *Christ*, contrary unto all the rest, and there
 “ saith thus ; *Quod Christus accipiens Panem bene-*
 “ *dixit, fregit, deditque Discipulis suis, dicens, Hoc*
 “ *est Corpus meum ; quasi diceret Corpus meum, per*
 “ *Fidem perceptum, erit vobis pro Pane, vel instar Pa-*
 “ *nis.* Whose Sense in the *English* is this, *That*
 “ *Christ’s Body, received by Faith, should be unto you*
 “ *as Bread, or instead of the Bread.*

“ But here to cease any further to speak of these
 “ German Writers, I shall draw nearer Home, as
 “ unto Doctor *Cranmer*, late Archbishop of *Can-*
 “ *terbury*, in this Realm ; how contrary was he
 “ unto himself in this Matter ? When in one Year
 “ he did set forth a Catechism in the *English* Tongue,
 “ and did dedicate the same unto King *Edward*
 “ the sixth, wherein he did most constantly affirm
 “ and defend the real Presence of *Christ’s* Body in
 “ the Holy Eucharist ; and very shortly after he
 “ did set forth another Book, wherein he did most
 “ shamefully deny the same, falsifying both the
 “ Scriptures and Doctors, to the no small Admira-
 “ tion of all the learned Readers. Dr *Ridley*, the
 “ notablest learned of that Religion in this Realm,
 “ did set forth at *Paul’s* Cross, the real Presence of
 “ *Christ’s* Body in the Sacrament, with these
 “ Words, which I heard, being there present :
 “ How that the Devil did believe the Son of God
 “ was able to make of Stones Bread ; and we
 “ *English* People, which do confess that *Jesus*
 “ *Christ* was the very Son of God, yet will not
 “ believe that he did make of Bread his very Body,
 “ Flesh and Blood. Therefore we are worse than
 “ the Devil ; seeing that our Saviour *Christ*, by
 “ express Words, most plainly affirm’d the same,
 “ when at the last Supper he took Bread, and said
 “ unto his Disciples, *Take ye, eat, this is my Body,*
 “ which

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“ *which shall be given for you.*” And shortly after the said Doctor *Ridley*, notwithstanding this most plain and open Speech at *Paul’s Cross*, did deny the same. And in the last Book that Doctor *Cranmer* and his Accomplices did set forth of the Communion, in King *Edward* the sixth’s Days, these plain Words of *Christ*, *Hoc est Corpus meum*, did so encumber them and trouble their Wits, that they did leave out in the same last Book, this Verb Substantive *est* (*f*); and made the Sense of *Christ’s* Words to be there *Englished*, *Take, eat this my Body*, and left out there, *this is my Body*; which Thing being espy’d by others, and great Fault found withall, then they were fain to patch up the Matter, with a little Piece of Paper clapped over the foresaid Words, wherein was written this Verb Substantive *est*. The Dealing herewith being so uncertain, both of the *German* Writers and *English*; and one of them so much against another, your Honours may be well assured, that this Religion which by them is set forth, can be no constant, no stayed Religion. And therefore of your Honours not to be received, but great Wisdom it were for your Honours to refuse the same; until you shall perceive better Agreement amongst the Authors and Setters forth of the same.

‘ Touching the third and last Rule of Tryal-making, and putting of Difference between these Religions, it is to be considered of your Honours which of them both doth breed more obedient, humble and better Subjects; first and chiefly unto our Saviour and Redeemer; secondly unto our Sovereign Lady the Queen’s Highness, and to all other Superiors. And for some Tryal and Probation thereof, I shall desire your Honours to consider the sudden Mutation of the Subjects of this Realm, since the Death of the good Queen *Mary*; only caused in them by the Preachers of this new Religion: When in Queen *Mary’s* Days, your Honours do know right well how the People of this Realm did live in an Order; and

(*f*) This probably was only an Error of the Printer. *Strypt.*

' and would not run before Laws, nor openly dis- Queen Elizabeth.
 ' obey the Queen's Highness's Proceedings and Pro- 1559.
 ' clamations. There was no spoiling of Churches,
 ' pulling down of Altars, and most blasphemous
 ' treading of Sacraments under their Feet, and
 ' hanging up the Knave of Clubs in the Place
 ' thereof. There was no scotching nor cutting of
 ' the Faces and Legs of the Crucifix and Image of
 ' *Christ*; there was no open Flesh-eating, nor
 ' Shambles keeping in the *Lent* and Days prohibi-
 ' ed. The Subjects of this Realm, and especially
 ' the Nobility and such as were of the honourable
 ' Council, did in Queen *Mary's* Days know the
 ' Way unto Churches and Chapels, there to be-
 ' gin their Days Work, with calling for Help and
 ' Grace by humble Prayers and serving of God.
 ' And now since the Coming and Reign of our most
 ' sovereign and dear Lady Queen *Elizabeth*, by the
 ' only Preachers and Scaffold-players of this new
 ' Religion, all Things are turned upside down; and
 ' notwithstanding the Queen's Majesty's Procla-
 ' mations most godly made to the contrary, and
 ' her virtuous Example of Living, sufficient to
 ' move the Hearts of all obedient Subjects to the
 ' due Service and Honour of God. But Obedience
 ' is gone, Humility and Meekness clear abolished,
 ' virtuous Chastity and strait Living denied, as
 ' though they had never been heard of in this
 ' Realm, all Degrees and Kinds being desirous of
 ' fleshly and carnal Liberty; whereby the young
 ' Springals and Children are degenerate from their
 ' natural Fathers, the Servants Contempts of
 ' their Masters Commandments, the Subjects dis-
 ' obedient unto God and all superior Powers.

' And therefore, honourable and my very good
 ' Lords, of my Part to minister some Occasion
 ' unto your Honours to expel, avoid and put out
 ' of this Realm this new Religion, whose Fruits
 ' are already so manifestly known to be, as I have
 ' repeated; and to persuade your Honours to avoid
 ' it, as much as in me lyeth, and to persevere and
 ' continue stedfastly in the same Religion, whereof
 ' Vol. III. E e ' you

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‘ you are in Possession, and have already made Pro-
 ‘ fession of the same unto God ; I shall rehearse
 ‘ unto your Honours four Things, whereby the
 ‘ holy Doctor St *Augustine* was continued in the
 ‘ Catholick Church and Religion of *Christ*, which
 ‘ he had received, and would by no means change,
 ‘ nor alter from the same. The first of these four
 ‘ Things was, *Ipsa Auctoritas Ecclesiæ Christi Mi-*
 ‘ *raculis inchoata, Spe nutrita, Charitate aucta,*
 ‘ *Vetustate firmata.* The second Thing was, *Pe-*
 ‘ *puli Christiani Consensus et Unitas.* The third
 ‘ was, *Perpetua Sacerdotum Successio in Sede Petri.*
 ‘ The fourth and last Thing was, *Ipsum Catholici*
 ‘ *Nomen.* If these four Things did cause so nota-
 ‘ ble and learned a Clerk as St *Augustine* was, to
 ‘ continue in his professed Religion of *Christ* with-
 ‘ out all Change and Alteration, how much then
 ‘ ought these four Points to work the like Effect in
 ‘ your Hearts, and not to forsake your professed
 ‘ Religion ? First, because it hath the Authority
 ‘ of *Christ.* Secondly, because it hath the Consent
 ‘ and Agreement of Christian People. Thirdly,
 ‘ because it hath the Confirmation of all *Peter’s*
 ‘ Successors in the See Apostolick. Fourthly, it
 ‘ hath *Ipsum Catholicæ Nomen*, and in all Times
 ‘ and Seasons called, *The Catholick Religion of*
 ‘ *Christ.* Thus bold have I been to trouble your
 ‘ Honours with so tedious and long an Oration ;
 ‘ for the discharging, as I said before, of my Duty,
 ‘ first unto God, secondly unto our Sovereign La-
 ‘ dy the Queen’s Highness, thirdly and last, unto
 ‘ your Honours, and all other Subjects of this
 ‘ Realm ; most humbly beseeching your Honours
 ‘ to take it in good Part, and to be spoken of me for
 ‘ the only Causes abovesaid, and for none other.’

Another Oration made by Dr *Scot*, Bishop of
Chester, in the Parliament House, against the Bill
 of the Liturgy.

Bishop Scot’s
Speech against
the Liturgy.

‘ **T**HIS Bill that hath been here read now the
 ‘ third Time, doth appear unto me such
 ‘ one, as that it is much to be lamented, that it
 ‘ should

' should be suffered either to be read, yea or any
 ' Ear to be given unto it of Christian Men, or so
 ' honourable an Assembly as this is : For it doth
 ' not only call in Question and Doubt those Things
 ' which we ought to reverence without any Doubt
 ' moving ; but maketh further earnest Request for
 ' Alterance, yea, for the clear abolishing of the
 ' same. And that this may more evidently appear,
 ' I shall desire your Lordships to consider, that our
 ' Religion, as it was here of late discreetly, godly,
 ' and learnedly declared, doth consist partly in in-
 ' ward Things, as in Faith, Hope and Charity ;
 ' and partly in outward Things, as in common
 ' Prayers, and the holy Sacraments uniformly mi-
 ' nistred.

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' Now as concerning these outward Things,
 ' this Bill doth clearly extinguish them, setting in
 ' their Places I cannot tell what. And the inward
 ' it doth also so shake, that it leaveth them very
 ' bare and feeble.

' For first, by this Bill Christian Charity is tak-
 ' en away, in that the Unity of *Christ's* Church
 ' is broken : For it is said, *Nunquam relinquunt*
 ' *Unitatem, qui non prius amittunt Charitatem.*
 ' And *St Paul* saith, That Charity is *Vinculum Per-*
 ' *fectionis*, the Bond or Chain of Perfection,
 ' wherewith we be knit and joined together in one.
 ' Which Bond being loosed, we must needs fall
 ' one from another, in divers Parties and Sects, as
 ' we see we do at this present. And as touching
 ' our Faith, it is evident that divers of the Articles
 ' and Mysteries thereof be also not only called into
 ' Doubt, but partly openly and partly obscurely,
 ' and yet in very Deed, as the other, flatly denied.
 ' Now these two, I mean Faith and Charity, be-
 ' ing in this Case, Hope is either left alone, or else
 ' Presumption set in her Place ; whereupon for the
 ' most part Desperation doth follow ; from the
 ' which I pray God preserve all Men.

' Wherefore these Matters mentioned in this Bill,
 ' wherein our whole Religion consisteth, we ought,
 ' I say, to reverence, and not to call into Question.

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For as a learned Man writeth, *Quæ patefacta sint querere, quæ perfecta sunt retractare, et quæ definita sunt convellere, quid aliud est, quin de adeptis Gratiam non referre*; that is to say, To seek after the Things which be manifestly opened, to call back or retract Things made perfect, and to pull up again Matters defined, what other Thing is it, than not to give Thanks for Benefits received? Likewise saith holy *Athanasius*, *Quæ nunc a tot ac talibus Episcopis probata sunt ac decreta, clareque demonstrata, supervacaneum est denuo revocare in Judicium*: It is a superfluous Thing, saith *Athanasius*, to call into Judgment again Matters which have been tried, decreed and manifestly declared, by so many and such Bishops, (he meaneth as were at the Council of *Nice*). For no Man will deny, saith he, but if they be new examin'd again, and of new judged, and after that examin'd again and again, this Curiosity will never come to any End. And as it is said in *Ecclesiastica Historia*, *Si quotidie tacebit Fidem in Questionem vocare, de Fide nunquam constabit*: If it shall be lawful every Day to call our Faith in Question, we shall never be certain of our Faith. Now if that *Athanasius* did think, that no Man ought to doubt of Matters determined in the Council of *Nice*, where there was present three hundred and eighteen Bishops; how much less ought we to doubt of Matters determined, and practised in the Holy Catholick Church of *Christ*, by three hundred thousand Bishops, and how many more we cannot tell.

And as for the Certainty of our Faith, whereof the Story of the Church doth speak, it is a Thing of all others most necessary; and if it shall hang upon an Act of Parliament, we have but a weak Staff to lean unto. And yet I shall desire your Lordships not to take me here as to speak in Derogation of the Parliament, which I acknowledge to be of great Strength in Matters whereunto it extendeth. But for Matters in Religion, I do not think that it ought to be meddled withal,
partly

partly for the Certainty which ought to be in our Faith and Religion, and the Uncertainty of the Statutes and Acts of Parliament. For we see, that oftentimes that which is established by Parliament one Year, is abrogated the next Year following, and the contrary allow'd. And we see also that one King disalloweth the Statutes made under the other. But our Faith and Religion ought to be most certain, and one in all Times, and in no Condition wavering: For as St James saith, *He that doubteth, or staggereth in his Faith, is like the Waves of the Sea, and shall obtain nothing at the Hands of God.* And partly for that the Parliament consisteth for the most Part of Noblemen of this Realm, and certain of the Commons, being Lay and Temporal Men; which, although they be both of good Wisdom and Learning, yet not so studied nor exercised in the Scriptures, and the holy Doctors and Practices of the Church, as to be competent Judges in such Matters. Neither doth it appertain to their Vocation; yea, and that by your Lordships own Judgment; as may well be gathered of one Fact, which I remember was done this Parliament time, which was this. There was a Nobleman's Son arrested and committed unto Ward; which Matter, being open'd here unto your Lordships, was thought to be an Injury to this House: Whereupon as well the young Gentleman, as the Officer that did arrest him, and the Party by whose Means he was arrested, were all sent for, and commanded to appear here before your Lordships; which was done accordingly. Yet before the Parties were suffered to come into the House, it was thought expedient to have the whole Matter considered, lest this House should intermeddle with Matters not pertaining unto it. In treating whereof there was found three Points; first, there was a Debt, and that your Lordships did remit to the Common Law. The second was a Fraud, which was referred to the Chancery, because neither of both did appertain unto this Court.

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‘ Court. And the third was the Arrest, and committing to Ward of the said Gentleman, wherein this House took Order. Now, if that by your Lordships own Judgments the Parliament hath not Authority to meddle with Matters of Common Law, which is grounded upon common Reason; neither with the Chancery, which is grounded upon Considerance; (which two Things be naturally given unto Man) then much less may it intermeddle with Matters of Faith and Religion, far passing Reason and the Judgment of Man, such as the Contents of this Bill be; wherein there be three Things specially to be considered; that is, the Weightiness of the Matter, the Darkeness of the Cause and the Difficulty in trying out the Truth, and thirdly, the Danger and Peril which doth ensue if we do take the wrong Way.

‘ As concerning the first, that is, the Weightiness of the Matter contained in this Bill, it is very great; for it is no Money-Matter, but a Matter of Inheritance; yea, a Matter touching Life and Death, and Damnation dependeth upon it. Here is set before us, as the Scripture saith, Life and Death, Fire and Water. If we put our Hand into the one we shall live; if it take hold of the other we shall die. Now to judge these Matters here propounded, and discern which is Life and which is Death, which is Fire that will burn us, and which is Water that will refresh and comfort us, is a great Matter, and not easily perceived of every Man. Moreover, there is another Matter here to be considered, and that we do not unadvisedly condemn our Forefathers and their Doings, and justify ourselves and our own Doings; both which the Scripture forbiddeth. This we know, that this Doctrine and Form of Religion, which this Bill propoundeth to be abolished and taken away, is that which our Forefathers were born, brought up and lived in; and have professed here in this Realm, without any Alteration or Change, by the Space of
900

‘ 900 Years and more ; and hath also been profes-
 ‘ sed and practised in the Universal Church of
 ‘ *Christ* since the Apostles Time. And that
 ‘ which we go about to establish and place for it,
 ‘ is lately brought in, allowed no where, nor put
 ‘ in practice, but in this Realm only ; and that but
 ‘ a small Time, and against the Minds of all Ca-
 ‘ tholick Men. Now if we do but consider the
 ‘ Antiquity of the one, and the Newness of the
 ‘ other, we have just Occasion to have the one in
 ‘ Estimation for the long Continuance thereof, un-
 ‘ to such Time as we see evident Cause why
 ‘ we should revoke it : And to suspect the other
 ‘ as never heard of here before, unto such Time as
 ‘ we see just Cause why we should receive it, see-
 ‘ ing that our Fathers never heard tell of it.

‘ But now I do call to Remembrance, that I
 ‘ did hear Yesterday a Nobleman in this House say,
 ‘ making an Answer unto this as it were by Pre-oc-
 ‘ cupation, that our Fathers lived in Blindness,
 ‘ and that we have just Occasion to lament their
 ‘ Ignorance ; whereunto me thinketh it may be
 ‘ answered, that if our Fathers were here and heard
 ‘ us lament their Doings, it is very like they would
 ‘ say unto us, as our Saviour *Christ* said unto the
 ‘ Women which followed him when he went to
 ‘ his Death, and weeped after him, *Nolite flere*
 ‘ *super nos, sed super vos ; i. e.* Weep not over us
 ‘ for our Blindness, but weep over yourselves for
 ‘ your own Presumption, in taking upon you so
 ‘ arrogantly to justify yourselves and your own Do-
 ‘ ings, and so rashly condemning us and our Do-
 ‘ ings. Moreover, *David* (*f*) doth teach us a
 ‘ Lesson clear contrary to this Nobleman’s Say-
 ‘ ings : For he biddeth us in doubtful Matters go to
 ‘ our Fathers, and learn the Truth of them, in
 ‘ these Words ; *Interroga Patrem tuum, & annun-*
 ‘ *ciabit tibi, Majores tuos & dicent tibi : i. e.* Ask of
 ‘ thy Father, and he shall declare the Truth unto
 ‘ thee, and of thine Ancestors and they will tell
 ‘ thee :

(*f*) This Bishop mistook *David* for *Moses*, for the Words are in
Deuteronomy, xxxii. 7. Strype.

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thee: And after in the same Psalm, *Filii qui nascentur & exsurgent, narrabunt Filiis suis, ut cognoscat Generatio altera: i. e.* The Children which shall be born and rise up, shall tell unto their Children, that it may be known from one Generation to another. *David* here willeth us to learn of our Fathers, and not to contemn their Doings. Wherefore I conclude, as concerning this Part, that this Bill, containing in it Matters of great Weight and Importance, it is to be deliberated on with great Diligence and Circumspection; and examined, tryed and determined by Men of great Learning, Virtue and Experience.

And as this Matter is great, and therefore not to be passed over hastily, but diligently to be examin'd, so is it dark and of great Difficulty to be so plainly discussed, as that the Truth may manifestly appear. For here be, as I have said, two Books of Religion propounded, the one to be abolished as erroneous and wicked, and the other to be established as godly and consonant to Scripture; and they be both concerning one Matter, that is, the true Administration of the Sacraments according to the Institution of our Saviour *Christ*. In the which Administration, there be three Things to be considered: The first is the Institution of our Saviour *Christ*, for the Matter and Substance of the Sacraments. The second, the Ordinances of the Apostles, for the Form of the Sacraments. And the third is the Additions of the holy Fathers, for the adorning and perfecting of the Administration of the said Sacraments. Which three be all duly, as we see, observed; and that of Necessity, in this Book of the Mass, and old Service, as all Men do know which understand it. The other Book which is so much extolled, doth *ex professo* take away two of these three Things, and in very deed maketh the third a Thing of nought. For first, as concerning the Additions of the Fathers, as in the Mass, *Confiteor, Misereatur, Kyrie Eleeson, Sequentes preces, Sanctus Agnus Dei*, with such other Things: And also the Ordinances of the Apostles, as Blessings, Cro-

sings;

sings ; and in the Administration of divers of the Sacraments, Exorcisms, Inunctions, praying towards the East, Invocation of Saints, Prayer for the Dead, with such other ; this Book taketh away, either in Part or else clearly, as Things not allowable. And yet doth the Fautors thereof contend, that it is most perfect according to *Christ's* Institution, and the Order of the primitive Church. But to let the Ordinances of the Apostles, and the Additions of the Fathers pass, (which, notwithstanding, we ought greatly to esteem and reverence) let us come to the Institution of our Saviour *Christ*, whereof they talk so much, and examine whether of those two Books come nearest unto it. And to make Things plain, we will take for Example the Mass, or as they call it, the Supper of the Lord ; wherein our Saviour *Christ* (as the holy Fathers do gather upon the Scriptures) did institute three Things, which he commanded to be done in Remembrance of his Death and Passion unto his coming again, saying, *Hoc facite*, &c. Do ye this : Whereof the first is, the consecrating of the blessed Body and Blood of our Saviour *Iesus Christ*. The second, the offering up of the same unto God the Father. And the third, the Communicating, that is, the eating and drinking of the said blessed Body and Blood, under the Forms of Bread and Wine. And as concerning the first two, St *Chrysostom* saith thus, *Volo quiddam edicere plane mirabile, & nolite mirari, neque turbamini, &c.* I will, saith St *Chrysostom*, declare unto you in very deed a marvellous Thing, but marvel not at it, nor be not troubled. But what is this ? It is the holy Oblation ; whether *Peter* or *Paul*, or a Priest of any Desert, do offer, it is the very same which *Christ* gave to his Disciples, and which Priests do make or consecrate at this Time. This hath nothing less than that. Why so ? Because Men do not sanctify this, but *Christ* which did sanctify that before. For like as the Words which *Christ* did speak, be the very same which

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which the Priests do now pronounce, so is it the very same Oblation. These be the Words of St *Chrysostom*; wherein he testifieth, as well the Oblation and Sacrifice of the Body and Blood of our Saviour *Christ*, offered unto God the Father in the Mass, as also the Consecrating of the same by the Priest: Which two be both taken away by this Book, as the Authors thereof do willingly acknowledge; crying out of the Offering of *Christ* oftner than once, notwithstanding that all the holy Fathers do teach it; manifestly affirming *Christ* to be offered daily after an unbloody Manner. But if these Men did understand and consider what doth ensue and follow of this their Affirmation, I think they would leave their Rashness, and return to the Truth again. For if it be true what they say, that there is no external Sacrifice in the New Testament, then doth it follow, that there is no Priesthood under the same, whose Office is, saith St *Paul*, *To offer up Gifts and Sacrifices for Sin* (g). And if there be no Priesthood, then is there no Religion under the New Testament. And if we have no Religion, then be we *Sine Deo in hoc Mundo*; that is, We be without God in this World; for one of these doth necessarily depend and follow upon another. So that if we grant one of these, we grant all; and if we take away one, we take away all.

Note (I beseech your Lordships) the End of these Men's Doctrine, that is to set us without God. And the like Opinion they hold touching the Consecration; having nothing in their Mouths but the Holy Communion, which, after the Order of this Book, is holy only in Words, and not in Deed. For the Thing is not there which should make it holy, I mean the Body and Blood of *Christ*, as may thus appear: It may justly in very deed be called the Holy Communion if it be ministred truly, and accordingly as it ought

(g) This is expressly spoken of the High Priests of the Old Testament, *Strype*.

ought to be; for then we receive *Christ's* holy Queen Elizabeth,
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Body and Blood into our Bodies, and be joined
in one with him, like two Pieces of Wax, which
being melten and put together, be made one.
Which Similitude St *Cyril* and *Chrysostom* do use
in this Matter; and St *Paul* saith, *That we be
made his Bones and Flesh.* But by the Order of
this Book this is not done; for *Christ's* Body is
not there in very deed to be received. For the
only Way whereby it is present is by Consecra-
tion, which this Book hath not at all (*b*); neither
doth it observe the Form prescribed by *Christ*,
nor follow the Manner of the Church. The E-
vangelists declare, that our Saviour took Bread in-
to his Hands, and did bless it, brake it, and gave
it to his Disciples, saying, *Take and eat, this is
my Body which is given for you: Do this in Re-
membrance of me.* By these Words, *Do this*, we
be commanded to take Bread into our Hands, to
bless it, break it, and having a Respect to the
Bread, to pronounce the Words spoken by our
Saviour, that is, *Hoc est Corpus meum.* By which
Words, saith St *Chrysostom*, the Bread is con-
secrated. Now by the Order of this Book, neither
doth the Priest take the Bread in his Hands, bless
it, nor break it, neither yet hath any Regard or
Respect to the Bread, when he rehearseth the
Words of *Christ*, but doth pass them over as they
were telling a Tale, or rehearsing a Story.
Moreover, whereas by the Minds of good Writ-
ers, there is required, yea, and that of Necessity,
a full Mind and Intent, to do that which *Christ*
did, that is, to consecrate his Body and Blood,
with other Things following: Wherefore the
Church hath appointed in the Mass certain Pray-
ers, to be said by the Priest before the Consecra-
tion, in the which these Words be, *Ut nobis fiat
Corpus Et Sanguis Domini nostri Ihesu Christi;*
that is, the Prayer is to this End, That the
Creatures may be made unto us the Body and
Blood of our Saviour *Iesus Christ*: Here is de-
clared

(*b*) This is notoriously false, the Prayer of Consecration being
evident to all Men's Eyes that consult the Book,
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‘clared the Intent, as well of the Church as also
‘of the Priest which saith Mafs : But as for this
‘new Book, there is no such Thing mentioned in
‘it, that doth either declare any such Intent, ei-
‘ther make any such Request unto God, but rather
‘to the contrary ; as doth appear by the Request
‘there made in these Words, *That we receiuing*
‘*these thy Creatures of Bread and Wine, &c.* which
‘Words declare, that they intend no Consecration
‘at all. And then let them glory as much as they
‘will in their Communion, it is to no Purpose,
‘seeing that the Body of *Christ* is not there ; which
‘as I have said, is the Thing that should be com-
‘municated.

‘There did Yesterday a Nobleman in this House
‘say, that he did believe that *Christ* is there re-
‘ceived in the Communion set out in this Book ;
‘and being ask’d if he did worship him there, he
‘said, No, nor never would, so long as he liv’d.
‘Which is a strange Opinion, that *Christ* should be
‘any where, and not worshipped. They say, they
‘will worship him in Heaven, but not in the Sacra-
‘ment : Which is much like as if a Man would
‘say, that when the Emperor sitteth under his
‘Cloth of Estate, princely apparell’d, he is to be
‘honoured ; but if he come abroad in a Frize Coat,
‘he is not to be honoured ; and yet he is all one
‘Emperor in Cloth of Gold under his Cloth of
‘Estate, and in a Frize Coat abroad in the Street.
‘As it is one *Christ* in Heaven in the Form of Man,
‘and in the Sacrament under the Forms of Bread
‘and Wine. The Scripture, as *St Augustine* doth
‘interpret it, doth command us to worship the
‘Body of our Saviour, yea, and that in the Sa-
‘crament in these Words, *Adorate Scabellum Pe-*
‘*dum ejus, quoniam sanctum est* ; Worship his
‘Footstool for it is holy. Upon the which Place
‘*St Augustine* writeth thus, *Christ* took Flesh of
‘the blessed Virgin his Mother, and in the same he
‘did walk, and the same Flesh he gave us to eat
‘unto Health ; but no Man will eat that Flesh,
‘except he worship it before. So is it found out,
‘how

how we shall worship his Footstool, &c. we shall not only not sin in worshipping, but we shall sin in not worshipping. Thus far St *Augustine* : But as concerning this, if we would consider all Things well, we shall see the Provision of God marvellous in it. For he provideth so, that the very Hereticks, and Enemies of the Truth, be compelled to confess the Truth in this Behalf. For the *Lutherans* writing against the *Zwinglians* do prove, that the true natural Body of our Saviour *Christ* is in the Sacrament. And the *Zwinglians* against the *Lutherans* do prove, that then it must needs be worshipped there. And thus in their Contention doth the Truth burst out, whether they will or no. Wherefore, in my Opinion of these two Errors, the sonder is to say, that *Christ* is in the Sacrament, and yet not to be worshipped, than to say, he is not there at all. For either they do think, that either he is there but in an Imagination or Fancy, and so not in very deed ; or else they be *Nestorians*, and think that there is his Body only, and not his Divinity ; which be both devilish and wicked.

Now, my Lords, consider I beseech you the Matters here in Variance ; whether your Lordships be able to discuss them according to Learning, so as the Truth may appear, or no ; that is, whether the Body of *Christ* be by this new Book consecrated, offered, adored, and truly communicated, or no ; and whether these Things be required necessarily by the Institution of our Saviour *Christ*, or no ; and whether Book goeth nearer the Truth. These Matters, my Lords, be (as I have said) weighty and dark, and not easy to be discussed : And thus likewise your Lordships may think of the rest of the Sacraments, which be either clearly taken away, or else mangled after the same Sort by this new Book.

The third Thing here to be considered is, the great Danger and Peril that doth hang over your Heads, if you do take upon you to be Judges in these Matters, and judge wrong ; bringing both yourselves

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‘ yourselves and others from the Truth unto Un-
 ‘ truth, from the Highways unto By-Paths. It is
 ‘ dangerous enough, our Lord knoweth, for a
 ‘ Man himself to err, but it is more dangerous not
 ‘ only to err himself, but also to lead other Men
 ‘ into Error. It is said in the Scripture of the King
 ‘ *Hieroboam*, to aggravate his Offences, that *Pecca-*
 ‘ *vit & peccare fecit Israel*; i. e. He did sin himself
 ‘ and caused *Israel* to sin. Take heed, my Lords,
 ‘ that the like be not said by you; if you pass this
 ‘ Bill, you shall not only in my Judgment err your-
 ‘ selves, but ye also shall be the Authors and Cau-
 ‘ sers that the whole Realm shall err after you. For
 ‘ the which you shall make an Account before
 ‘ God.

‘ Those that have read Stories and know the
 ‘ Discourse and Order of the Church, discussing of
 ‘ Controversies in Matters of Religion, can testify,
 ‘ that they have been discussed and determined in
 ‘ all Times by the Clergy only, and never by the
 ‘ Temporality. The Heresy of *Arius*, which
 ‘ troubled the Church in the Time of *Constantine*
 ‘ *the Great*, was condemned in the Council of
 ‘ *Nice*. The Heresy of *Eutyches* in the Council of
 ‘ *Chalcedone* under *Martin*; the Heresy of *Macedo-*
 ‘ *nus* in the first Council of *Constantinople* in the
 ‘ Time of *Theodosius*; the Heresy of *Nestorius* in
 ‘ the *Ephesian* Council, in the Time of *Theodosius*
 ‘ the younger. And yet did never none of these
 ‘ good Emperors assemble their Nobility and Com-
 ‘ mons, for the discussing and determining of these
 ‘ Controversies; neither asked their Minds in
 ‘ them, or went by Number of Voices or Polls, to
 ‘ determine the Truth, as is done here in this
 ‘ Realm at this Time. We may come lower, to
 ‘ the third Council of *Tolletane* in *Spain*, in the
 ‘ Time of *Ricaredus* being there, and to the
 ‘ Council of *France* about 800 Years ago, in the
 ‘ Time of *Carolus Magnus*; which both follow-
 ‘ ing the Order of the Church, by Licence had of
 ‘ the Pope, did procure the Clergy of their Realms
 ‘ to be gathered and assembled, for reforming of

• • certain

certain Errors and Enormities within their said Queen Elizabeth.
 Realms, whereunto they never called their No- 1559.
 bility nor Commons; neither did any of them
 take upon themselves either to reason or dispute,
 in discussing of the Controversies; neither to de-
 termine them being discussed, but left the whole
 to the discussing and determining of the Clergy.
 And no marvel, if these with all other Catholick
 Princes used this Trade. For the Emperors that
 were Hereticks, did never reserve any such Matter
 to the Judgment of Temporal Men, as may ap-
 pear to them that read the Stories of *Constantius*,
Valens, &c. who procured divers Assemblies, but
 always of the Clergy, for the establishing of *Ari-*
us's Doctrine; and of *Zeno* the Emperor, which
 did the like for *Eutyches's* Doctrine; with many
 others of that Sort. Yea, it doth appear in the
Acts of the Apostles, that an Infidel would take no
 such Matter upon him. The Story is this, St
Paul having continued at *Corynth* one Year and
 an half in preaching of the Gospel, certain wick-
 ed Persons did arise against him, and brought him
 before their Vice-Consul called *Gallio*, laying un-
 to his Charge, That he taught the People to wor-
 ship God contrary to their Law. Unto whom
 the Vice-Consul answered thus: *Si quidem esset*
Iniquum aliquid aut Facinus pessimum, o Vos Judæi,
recte vos sustinerem; si vero Questiones sint de
Verbo & Nominibus Legis vestræ, vos ipsi videritis,
Judex horum ego nolo esse; i. e. If that this Man,
 saith *Gallio*, had committed any wicked Act or
 cursed Crime, O ye *Jews*, I might justly have
 heard you; but and if it be concerning Questions
 and Doubts of the Words and Matters of your
 Law, that is to say, if it be touching your Re-
 ligion, I will not be judge in those Matters.
 Mark, my Lords, this short Discourse, I beseech
 your Lordships, and ye shall perceive, that all
 Catholick Princes, Heretick Princes, yea, and
 Infidels, have from Time to Time refused to
 take that upon them that your Lordships go about
 and challenge to do.

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‘ But now, because I have been long, I will make an End of this Matter, with the Saying of two noble Emperors in the like Affairs. The first is *Theodosius*, which said thus; *Illicitum est enim, qui non sit ex Ordine sanctorum Episcoporum, ecclesiasticis se immiscere Tractatibus*; i. e. It is not lawful, saith he, for him that is not of the Order of the holy Bishops, to intermeddle with the Treating of Ecclesiastical Matters. Likewise, said *Valentinianus* the Emperor, being desired to assemble certain Bishops together for examining of a Matter of Doctrine, in this wise; *Mihi, qui in sorte sub Plebis, fas non est talia curiosus scrutari*; *Sacerdotes, quibus ista Curæ sunt, inter seipsos quocunque Loco voluerint conveniant*; i. e. It is not lawful for me, quoth the Emperor, being one of the Lay People, to search out such Matters curiously; but let the Priests, unto whom the Charge of these Things doth appertain, meet together in what Place soever they will: He meaneth, for the discoursing thereof. But to conclude; and if these Emperors had not to do with such Matters, how should your Lordships have to do with all? And thus desiring your good Lordships to consider, and take in good part these few Things that I have spoken, I make an End.’

Besides Church Matters, some Care was taken of the State of the Nation in Trade, &c. A few Acts were made on Merchandize, Shipping, the Cloth and Iron Trade, and unlawful and riotous Meetings; which are all printed. There is one Church-Act still, that deserves a little more particular Notice, which was concerning the Archbishops and Bishops Demesnes. By this it was enacted, that they should not give, grant, or lease out the Lands and Livings of the Church, for twenty-one Years, or three Lives, to any other than the Queen and her Successors, reserving the old Rents. This Act was never printed, and *Cambden* observes upon it, That this Exception to the Queen, however prejudicial to the Church, turned

turned to the Account of such Courtiers as abused the Queen's Favour, and of those Bishops who were of a narrow and covetous Spirit. But, he adds, That at last it was quite expunged, to the great Benefit of the Church, in the Beginning of the next Reign (i).

In the Proceedings of the House of Commons, this Parliament, a Case of Privilege is somewhat remarkable. One *John Smyth*, Esq; return'd a Burgess for *Camelforde* in *Cornwal*, was accused by another Member, ' That he had come to the House ' being outlawed; and had also defrauded several ' Merchants, in *London*, of Wares, to the Sum of ' 300 l. under Colour of the Privilege of the ' House.' The Examination of this Matter being A Question of Privilege. refer'd to a Committee, it was reported to be true. And on Consultation in the House, the Question was put, Whether he should have Privilege or not? It was carried in the Affirmative, by, only, 112 against 107 (k).

In the Catalogue of the Acts passed this Session, in the *Journals*, are the Titles of forty; in the printed Statutes only 21. Tho' it is to be noted that six of those Acts in the Lords *Journals*, have not the least Notice taken of them in the Proceedings of that House. *Cambden* remarks, That in this Parliament there was not a Man attainted; a Thing, he says, very unusual in the first Session of that Court, in the Reigns of other Princes. The Reader may remember, the same Thing happened in the first Parliament of her Sister. But several Attainders were now reversed. *Gregory Fienes* Lord *Dacres*, and *Thomas* his Brother, were restored to their Titles and Estates, forfeited by their Father's Attainder under *Henry VIII.* *Henry Howard* and his three Sisters, the Children of *Henry Howard* Earl of *Surrey*, beheaded upon a slight Pretence, by the same King, a little before his Death; *John Gray* of *Pyrge*, Brother to the Marquis of *Dorset*, Sir

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(i) *Cambden* in *Kennet*, p. 376.

(k) *Journals of the Commons*, Vol. I. p. 57.

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Queen Elizabeth, 1559. *Henry Gates*, Sir *James Crofts*, convicted of Treason in Queen *Mary's* Days; and several others.

The *Journal* of the Lords concludes this Parliament very abruptly; and that of the Commons not much fuller. All that is said in the latter is, 'That *May* the 8th, in the Afternoon, the Queen came to the House, when Mr Speaker, attended by the Commons, made a learned Oration, on exhibiting the Bill for the Subsidy and the Bill for Tonnage and Poundage. He also required the Queen's Assent to such other Bills as had passed both the Houses. Which Oration being commended and answered by the Lord Keeper, the Royal Assent was given to forty-two Bills; and, by the Queen's Pleasure, this Parliament was dissolved.

The Parliament dissolved.

Alterations in Religion.

It is now that another Revolution in Church Affairs took Place, in a very surprizing Manner; and Popes, with Cardinals, once more were banished this Realm. On the rising of the Parliament, the new Liturgy in the vulgar Tongue, which by their Authority had been established, was introduced into all Churches and Chapels of the Kingdom. Images were once more taken down and removed out of them, with as little Disturbance as possible. And some of the Clergy themselves underwent the same Fate. For the Oath of Supremacy being tendered to them, such as refused were deprived of their Bishopricks, Livings, and all other Ecclesiastical Preferments. But the Number of the Conscientious Clergy were but small, in Comparison of the whole Body. In *England* there were then computed 9400 Ecclesiastical Preferments; of these there went off no more than eighty Parish Priests, fifty Prebendaries, fifteen Heads of Colleges, twelve Archdeacons, as many Deans, six Abbots and Abesses, and fourteen Bishops; which last Number, except the Bishop of *Llandaff*, were all that then were living. In this the Heads of the Clergy shewed much more Conscience than the Tail of them. Other Bishops, &c. were elected and substituted in the Places of the deprived; and these Alterations in Religion were done with so little Noise

Noise and Bustle in *England*, as was, says *Cambden*, to the Astonishment of the whole *Christian* World. Queen Elizabeth, 1559.

It is now also that we have a Gap of Time, almost as wide as all the last Reign, before we meet with the Call of another Parliament. For, it was not till the Beginning of the Year 1563, that a new one was summoned. In the mean while, *England* became embroiled in a War with *Scotland*, on account of *Mary* their Queen, who was lately married to the Dauphin of *France*. As this Princess must make a considerable Figure in any History of this Reign, it is proper in this Place to give some Account of her.

Mary Stewart, only Child to *James* the Vth, King of *Scotland*, by *Margaret*, eldest Daughter to *Henry* the VIIth of *England*, by his Wife *Elizabeth*, eldest Daughter to King *Edward* the IVth, was almost born a Queen; for her Father lived not a Week after her Birth, which happened *December* the 7th, in the Year 1541. Whilst she was yet an Infant-Queen, the Guardians of *Scotland* were much solicited by *Henry* the VIIIth, her Uncle, to contract her in Marriage to his young Son *Edward*. And after this Prince succeeded his Father, the same Overtures were made to the *Scots*; which being both Times refused, a smart and bloody War ensu'd upon it. *French* Politicks, or *French* Pistoles, always influenced the *Scotch* Ministry to refuse this Match; and at length brought them to consent to her Marriage with the eldest Son of *France*, afterwards King *Francis* the II.

This grand Alliance looked very formidable against Queen *Elizabeth*; especially when the young King of *France*, in Right of his Queen, made no Scruple to claim the *English* Crown. And to back this Title, actually sent a Body of *French* Troops into *Scotland*, in order to begin Hostilities against the *English* from that Quarter.

It was very fortunate for Queen *Elizabeth*, that the *Scotch* were then a much divided Nation. The Doctrine of *J. Knox*, and other zealous Con-

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ticlers, had possess'd the Minds of half that Kingdom; insomuch, that they refused to obey the Queen-Regent, when the Heads of these Sectaries were called on, to join the *French* Interest against their Brethren the Reformers in *England*. It was the Policy of the *English* Ministry to keep up this Division amongst their Neighbours; and Soldiers were sent into *Scotland*, both by Sea and Land, to invade it, and drive the *French* home again. But we leave the Progress of these Wars to our larger Historians; and shall only take Notice, that another lucky Incident greatly helped to secure Queen *Elizabeth*; which was the Death of the young King of *France*, *Francis II.* who dying in the midst of these Tumults, left the young Queen of *Scots* a Widow, with a very unhappy Course of Life to steer after him.

The homebred Divisions in *Scotland*, and a Civil War breaking out in *France*, between the Princes of the Blood and the *Guise's* Party, seem'd to favour the *English* Ministry on all Sides. An Army was sent from hence into *France*, in order to invade them in our Turn; and at this Conjunction the Queen thought fit to call a new Parliament, to find Money to support it. But this being a Period of some Account in the History of this long Reign, we shall chuse, also, to make it one to this Volume.







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